

5.1 Land Use

5.1.1 Existing Conditions

5.1.1.1 *On-Site Land Uses*

CCRC Site

The CCRC site primarily consists of vacant land, large portions of which have historically been used for agricultural operations. An unoccupied, single-family home and equestrian-related accessory structures are located in the southern portion of the CCRC site.

Affordable Housing Site

The affordable housing site currently consists of vacant land. The site has been historically used for equestrian-related uses.

5.1.1.2 *Off-Site Land Uses*

CCRC Site

Land uses surrounding the CCRC site vary considerably. To the north of the site is a recreation parcel developed with tennis courts which is utilized by the residents of the Rancho Carlsbad Estates. Further north of the site is a parcel owned by the Carlsbad Unified School District which is proposed to be developed with a new high school. Immediately to the south of the CCRC site is the Rancho Carlsbad golf course, equestrian uses (e.g., stables and corrals), and the downstream portion of Agua Hedionda Creek. To the east of the project site is vacant land that has been approved for the development of the future extension of College Boulevard Reach "A" (i.e. the Calavera Hills Master Plan Phase II, Bridge and Thoroughfare District No. 4 & Detention Basins Environmental Impact Report, EIR No. 98-02, SCH No. 99111082), as well as two single-family subdivisions and a multi-family project (i.e. Cantarini Ranch and Holly Springs, EIR No. 02-02, SCH No. 2002101081). Immediately to the west of the CCRC site is Rancho Carlsbad Estates, a 504-unit condominium mobile home park.

Affordable Housing Site

A large expanse of vacant land is located immediately north of the affordable housing site, a large portion of which has been approved to be developed with the Cantarini Ranch/Holly Springs subdivisions. Agua Hedionda Creek runs parallel to the northern property line, a majority of which is located off-site; however, a small section of the creek crosses through the northeast corner of the irregularly-shaped lot. Immediately to the south of the affordable site is a vacant sliver of land associated with the Terraces at Sunny Creek single-family residential development. This sliver of land is located between the affordable housing property line and Sunny Creek Road. South of the affordable site (i.e., south of Sunny Creek Road) is the existing Terraces gated single-family residential community. Immediately to the east is the Terraces at Sunny Creek affordable multi-family development (high density residential). To the west of the affordable

site is vacant land that has been approved for the development of College Boulevard Reach "A." Also, further west are equestrian-related structures such as stables and corrals.

5.1.1.3 *Existing Land Use Plans, Policies and Regulations*

The following describes the land use plans, policies and regulations that are applicable to the implementation of the proposed Dos Colinas project. These include the City of Carlsbad General Plan, City of Carlsbad Zoning Ordinance, the Rancho Carlsbad Estates Residential Mobile Home Park Permit (RMHP 96-01(D), Sunny Creek Specific Plan (Specific Plan 191), Hillside Development Regulations, Site Development Plan Regulations, Floodplain Management Regulations, Conditional Use Permit Ordinance, Inclusionary Housing Ordinance, Sign Ordinance, Growth Management Plan Zone 15 Local Facilities Management Plan (LFMP), Scenic Corridor Guidelines, Noise Guidelines Manual, Landscape Manual, McClellan-Palomar Airport Land Use Compatibility Plan, Open Space and Conservation Resource Management Plan, and the City of Carlsbad Habitat Management Plan.

A. City of Carlsbad General Plan

Eight elements comprise the City of Carlsbad General Plan. These elements are: Land Use; Circulation; Noise; Housing; Open Space & Conservation; Public Safety; Parks & Recreation; and Arts. Together, these elements satisfy the seven mandatory general plan elements as established in the California Government Code. Goals, objectives, and implementing policies and actions programs have been established for each of the elements.

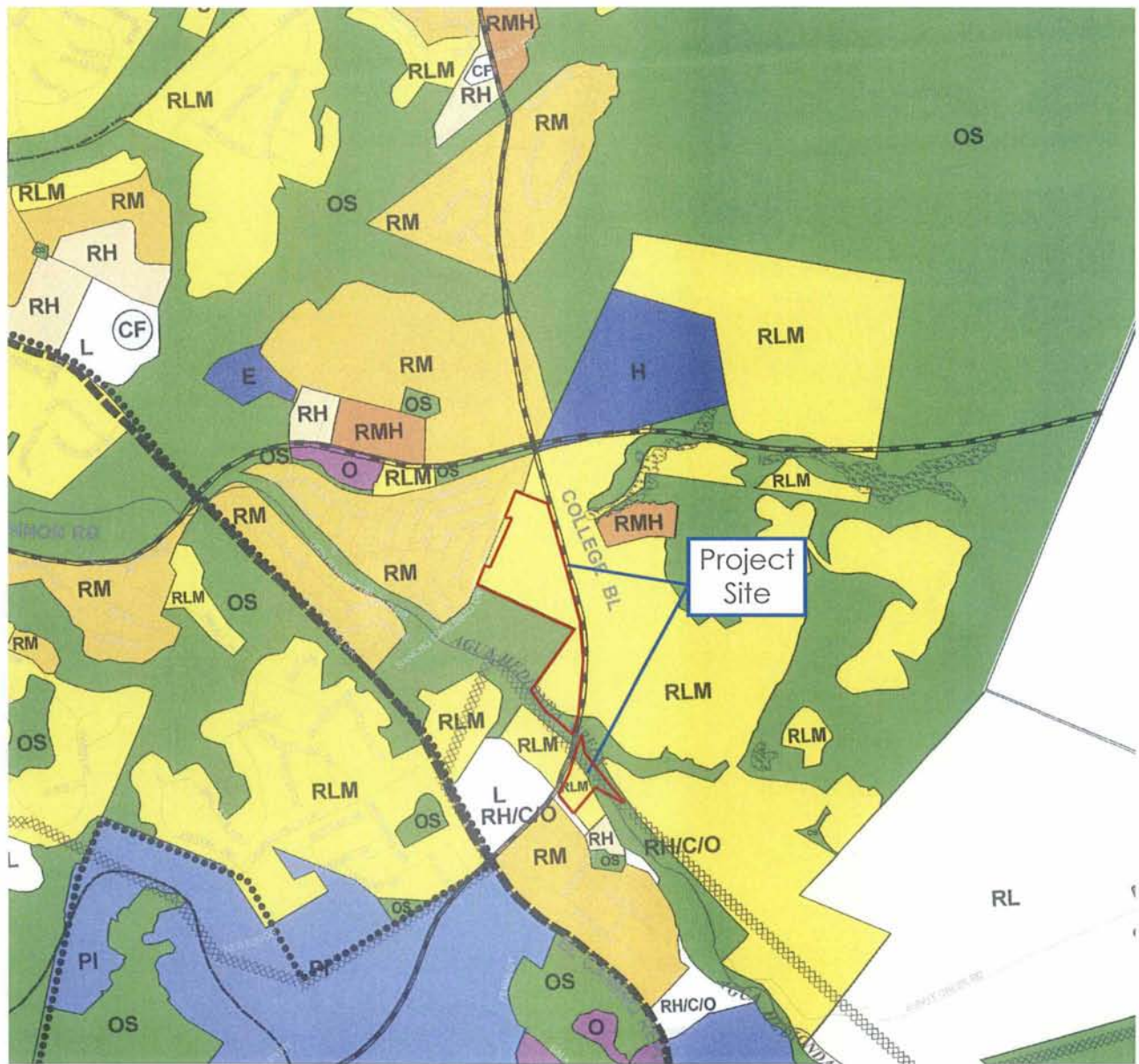
Figure 5.1-1 depicts the existing City of Carlsbad General Plan designations for the project site and surrounding area. A majority of the site presently contains one General Plan land use designation Residential Low-Medium Density (RLM). The RLM land use designation anticipates development of urban, low-medium density areas, characterized by single-family homes and planned residential development at 0-4 dwelling units with a Growth Management Control Point of 3.2 dwelling units per net developable acre. A small portion of the CCRC site and the affordable housing site is designated as Open Space. This open space designation is intended to preserve the area encompassing Agua Hedionda Creek.

General Plan Land Use designations surrounding the project site include Residential Medium Density (RM, 4-8 dwelling units per acre), Residential High Density (RH, 15-23 dwelling units per acre), Open Space (OS), Local Shopping Center (L), and Office and Related Commercial (O).

B. City of Carlsbad Zoning Ordinance

The City of Carlsbad Zoning Ordinance provides the physical land use planning criteria for development within the City. Figure 5.1-2 depicts the existing zoning categories for the project site and surrounding area. All components of the project site (i.e., CCRC site, RV storage/garden area, and affordable housing site) are currently zoned Limited Control (L-C).

The intent and purpose of the L-C zone is, "to provide an interim zone for areas where planning for future land uses has not been completed or plans of development have not been formalized. After proper



LEGEND

[H] HIGH SCHOOL
[PI] PLANNED INDUSTRIAL
[OS] OPEN SPACE
[UA] UNPLANNED AREAS

COMMERCIAL

[L] LOCAL SHOPPING CENTER
[O] OFFICE & RELATED COMMERCIAL

RESIDENTIAL

[RLM] LOW-MEDIUM DENSITY (0-4 du/ac)
[RM] MEDIUM DENSITY (4-8 du/ac)
[RMH] MEDIUM-HIGH DENSITY (8-15 du/ac)
[RH] HIGH DENSITY (15-23 du/ac)

PRIME ARTERIAL
MAJOR ARTERIAL
SECONDARY ARTERIAL
COLLECTOR STREET
RAILROAD
COASTAL ZONE
AIRPORT INFLUENCE AREA

SOURCE: City of Carlsbad, 2010

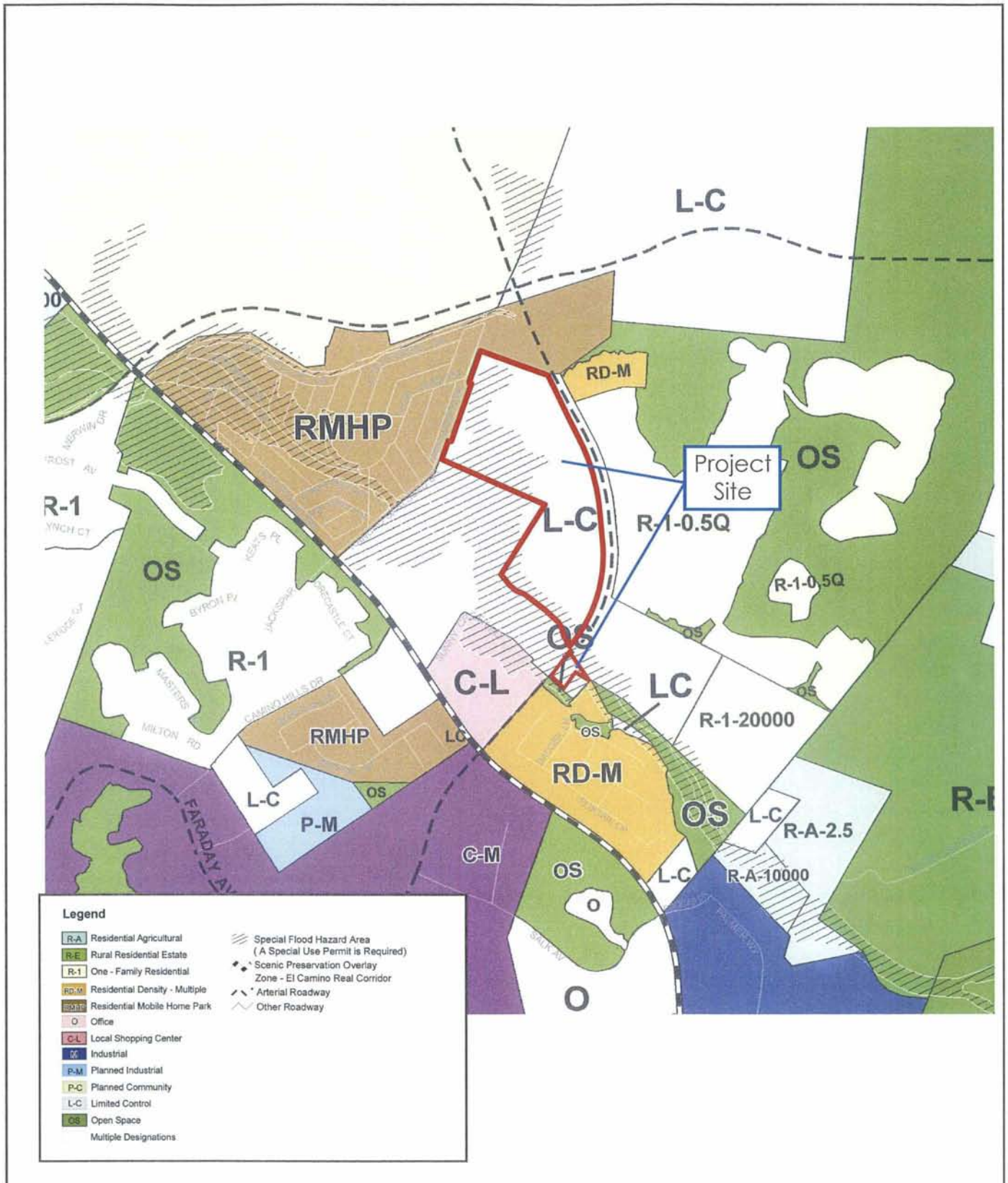
7/28/10



Dos Colinas EIR

Existing General Plan Land Use

FIGURE
5.1-1



SOURCE: City of Carlsbad, 2010

7/6/10



Dos Colinas EIR

Existing Zoning Map

FIGURE
5.1-2

planning or plan approval has been completed, property zone [d] L-C may be rezoned in accord with this title" (Carlsbad Municipal Code, Section 21.39.010).

C. Sunny Creek Specific Plan (Specific Plan 191)

The Sunny Creek Specific Plan (SP-191) was adopted in 1985. The purpose of the Specific Plan is, "to establish standards for development which promote a rural estate atmosphere and which preserve the unique environmental resources of the area bounded by College [Boulevard], the ridge line south of Cannon Road, the Sunny Creek biological habitat and the Dawson Ecological Preserve (Exhibit 'A')." The Specific Plan identifies the major environmental features of the site and specifies the permitted uses, development standards, design criteria and density pattern to ensure the protection of these environmental features.

The CCRC site is not located within the Sunny Creek Specific Plan boundary. However, the affordable housing site is currently located within the southwestern extent of the Specific Plan 191. The Sunny Creek Specific Plan requires a minimum lot size of one acre for projects with a proposed density of 0-1 du/acre and one-half an acre for projects with a proposed density of 1-2 du/acre. As identified in "Section II Density" of the Specific Plan, the density within the Specific Plan would transition from lowest density to the highest density in an east (lower density) to west (higher density) and south (lower density) to north (higher density) direction, which is indicated on the Density Transition Map - Exhibit "C" of the Specific Plan. Figure 5.1-3 depicts the project site in the context of the Sunny Creek Specific Plan Density Transition Map (Exhibit "C"). As shown, the affordable housing site is currently designated as parcel "RLM-8A" on the Specific Plan Density Transition Map (see Figure 5.1-3).

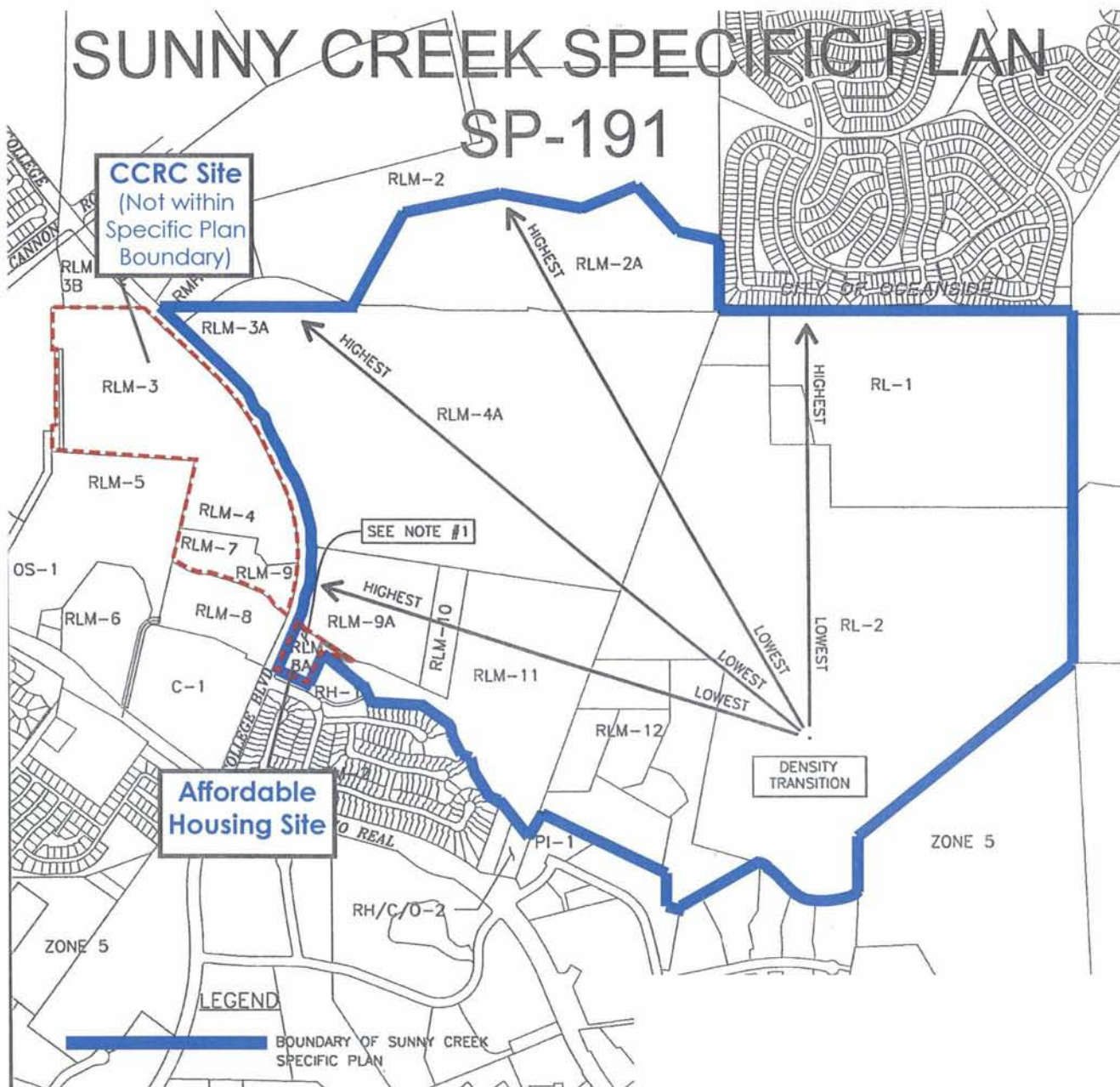
D. Hillside Development Regulations

Due to the steep slope topography on portions of the project site, the Continuing Care Retirement Community site is subject to the Hillside Development Regulations of the Zoning Ordinance. The Hillside Development Regulations (Chapter 21.95) were established to, "preserve and/or enhance the aesthetic qualities of natural hillsides and manufactured slopes by designing projects which relate to the slope of the land, minimizing the amount of project grading, and incorporating contour grading into manufactured slopes which are located in highly visible public locations." In addition, the Hillside Development Regulations are in place to, "assure that the alteration of natural hillsides will be done in an environmentally sensitive manner whereby lagoons and riparian ecosystems will be protected from increased erosion and no substantial impacts to natural resource areas, wildlife habitats or native vegetation areas will occur." Further discussion of the City's Hillside Development Regulations is provided in Section 5.11 - Grading and Aesthetics of this EIR.

E. Floodplain Management Regulations

The project is subject to the Floodplain Management Regulations of the City of Carlsbad Zoning Ordinance because the southern portion of the CCRC site, the western and southern portions of the RV storage and garden site, and the entire affordable housing site are currently located within the 100-year floodplain. The purpose of the Floodplain Management Regulations is to promote health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas. The Floodplain Management Regulations (Chapter 21.110 of the Zoning Ordinance) apply to all areas of special flood

SUNNY CREEK SPECIFIC PLAN SP-191



Note:

1. Affordable Housing Site (Parcel RLM-8A-Assessor Parcel 209-060-68) is proposed to be deleted from the Sunny Creek Specific Plan (SP-191) Boundary
2. CCRC Site is not located within Sunny Creek Specific Plan Boundary

SOURCE: Ladwig Design Group, Inc., 2009

7/7/10



Dos Colinas EIR Sunny Creek Specific Plan Density Transition Map

FIGURE
5.1-3

hazards, areas of flood-related erosion hazards, and areas of mudslide hazards within the City. These regulations apply to all portions of the project site subject to flooding hazards. The existing portions of the project site currently subject to these regulations will be modified after project grading and proposed drainage improvements are constructed. The modifications involve raising the proposed development areas out of the floodplain, and creating new areas (e.g., detention) for floodplain storage. A more detailed discussion of Floodplain Management Regulations is provided in Section 5.12 - Hydrology/Water Quality of this EIR.

F. Growth Management Program/Zone 15 Local Facilities Management Plan (LFMP)

The Growth Management Chapter of the City of Carlsbad Zoning Ordinance is generally intended to provide a balanced community, ensure that development is consistent with the General Plan, and prevent growth unless adequate public facilities and improvements are provided in a phased and logical fashion. This chapter of the Zoning Ordinance generally provides that General Plan, zone changes and specific plan amendments that would increase the density or development intensity of that established by the General Plan are required to amend the applicable local facilities management plan (LFMP) prior to project approval.

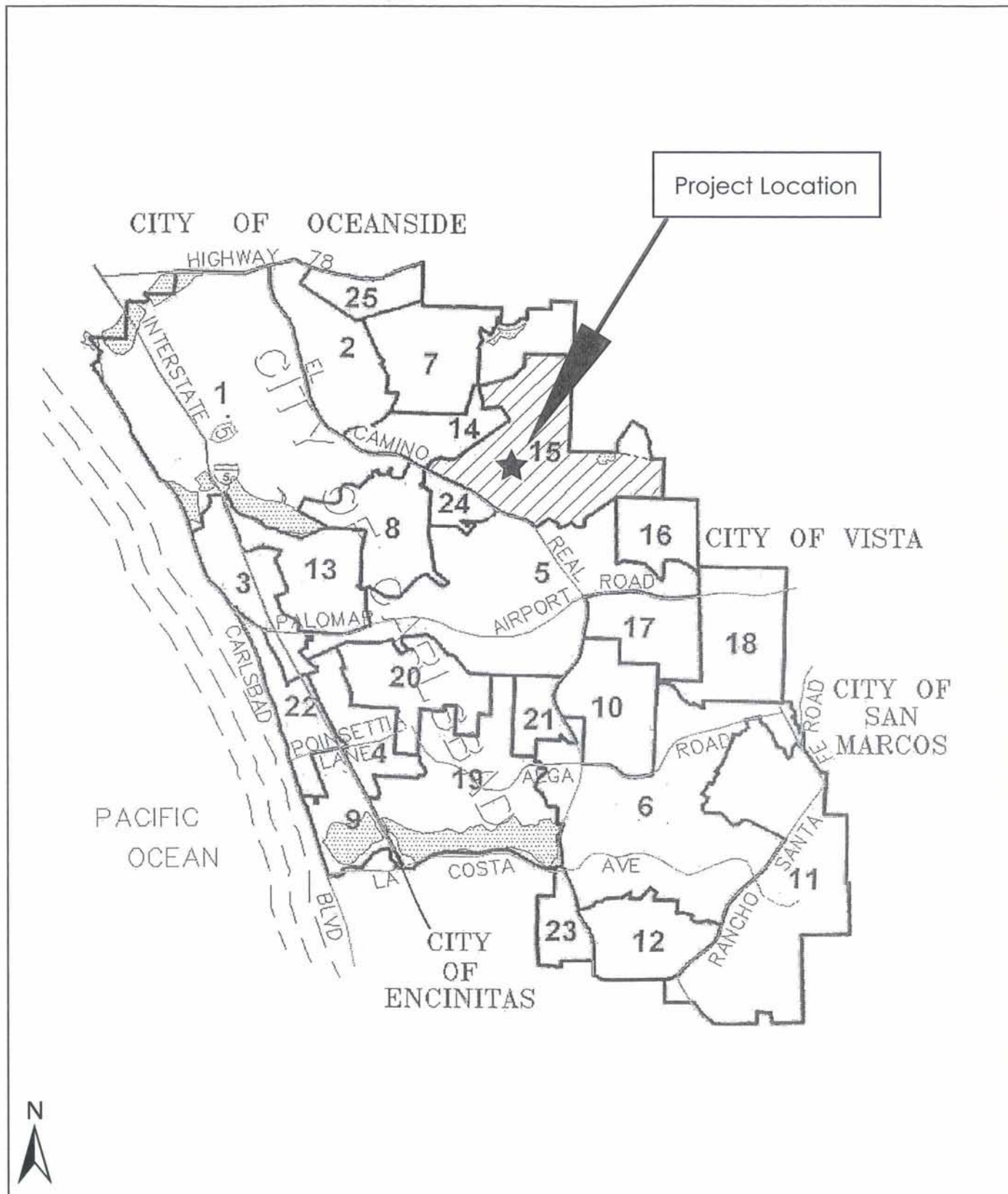
Pursuant to the City's Growth Management Program and Chapter 21.90 of the City's Municipal Code, the City is organized into 25 zones. The Growth Management Plan requires the preparation of LFMPs for the 25 different management zones within the City. The LFMPs implement the provisions of the City's Growth Management Program (GMP) by phasing all development and public facility needs in accordance with the adopted GMP performance standards. The public facilities include city administration, library, wastewater treatment, parks, drainage, circulation, fire, open space, schools, sewer collection and water distribution. Individual projects must comply with the provisions of the LFMP in which they are located, as well as implement the provisions of the City-wide plan.

The project site is located within LFMP Zone 15 of the City Growth Management Plan (see Figure 5.1-4). The purpose of the LFMP is to " ... provide a plan for identifying the public facilities that will be needed to accommodate development within Zone 15." Section 5.14 - Public Services and Utilities of this EIR identifies the public services and utility phasing required for project implementation.

Under the City's Growth Management Plan and the original Zone 15 LFMP approximately 3,008 dwelling units were anticipated to be constructed within Zone 15.

City Council Policy 43

City Council Policy 43 is the established policy for the number and allocation of Proposition E (Growth Management) "Excess" Dwelling Units. Policy 43 establishes the City's policy regarding the number and the criteria for allocation of "Excess" dwelling units which have become available as a result of residential projects being approved and constructed with less dwelling units than would have been allowed by the density control points of the Growth Management Plan as approved by the voters on November 4, 1986, as Proposition E.



SOURCE: Ladwig Design Group, Inc., 2004

4/8/10



Dos Colinas EIR

LFMP Zone 15 Location Map

FIGURE
5.1-4

Under City policy, "excess" dwelling units may be allocated to projects located in any quadrant of the City as long as the number of residential units constructed in each quadrant does not violate the dwelling unit limitations established by Proposition E.

In order to qualify for an allocation of excess units, a project shall have one or more of the following characteristics:

1. A project that includes a request for a density bonus made pursuant to and in compliance with state density bonus law.
2. Housing units made affordable to lower or moderate-income households.
3. Senior citizen housing.
4. Housing located in the Village Redevelopment Area or the South Carlsbad Coastal Redevelopment Area.
5. Transit-oriented, "smart growth" development projects where increased residential density is being placed in close proximity to major transit facilities, employment opportunities and commercial support services.
6. Projects approved for a land use change from non-residential to residential or projects containing a mix of residential and non-residential.
7. The property has a General Plan land use designation of Residential Low Density (RL) or Residential Low-Medium Density (RLM) and the base zone of the property would permit a slightly higher yield of units than would be allowed by the RL or RLM General Plan land use designation; provided, the proposed density does not exceed the maximum density of the RL or RLM density range by more than an additional 25 percent.
8. The growth management control point (GMCP) density for the property results in a unit yield that includes a fractional unit of .5 or greater. In this circumstance, a fraction of a unit may be granted in order to achieve, but not to exceed, the next whole unit; provided, the maximum density of the applicable General Plan land use designation is not exceeded.

G. Inclusionary Housing Ordinance

The City has adopted an Inclusionary Housing Ordinance, which implements an objective of the City, as established by the City's General Plan Housing Element, to ensure that all residential development, including all master planned and specific planned communities and all residential subdivisions, provide a range of housing opportunities for all identifiable economic segments of the population, including households of lower and moderate income. The Inclusionary Housing Ordinance requires the following:

- Require that a minimum of 15 percent (15%) of all approved residential development be restricted to, and affordable to, lower-income households; subject to adjustment based on the granting of certain incentives;

- Require that for those developments that provide ten or more units affordable to lower-income households, at least 10 percent (10%) of the lower-income units shall have three or more bedrooms;
- Under certain conditions, allow alternatives to on-site construction as a means of providing affordable units; and,
- In specific cases, allow inclusionary requirements to be satisfied through the payment of an in-lieu fee as an alternative to requiring inclusionary units to be constructed.

H. Scenic Corridor Guidelines

The City of Carlsbad Scenic Corridor Guidelines identifies streets within the City as scenic corridors and identifies ways to preserve and enhance the character of the streets. The Guidelines also provide design criteria for landscaping and setbacks along the scenic corridors.

The eastern boundary of the CCRC site and the western boundary of the affordable housing site will be fronted by College Boulevard, which is identified as Community Scenic Corridor. The following goals apply to the College Boulevard Community Scenic Corridor:

- Create identifiable and visually pleasing intersections at points where scenic corridors cross;
- Create a unique identity for individual corridors by selecting a predominant theme tree to be used throughout the length of each corridor;
- Encourage Community Scenic Corridor consistency with any "theme" areas which may be designated in the Architectural Standards through appropriate landscaping and street furniture;
- Preserve distant views of the ocean, lagoons, and back country from Scenic Corridors; and,
- Encourage special landscaped setbacks.

I. Landscape Manual

The policies, programs and requirements of the Landscape Manual apply to all public and private development requiring discretionary permits or submittal of landscape plans for development permits. The Landscape Manual contains policies and requirements associated with:

- | | | |
|--------------|----------------------|--------------------------------------|
| • Planting | • Water Conservation | • Slope Revegetation/Erosion Control |
| • Irrigation | • Streetscape | • Fire Protection |

The policies and requirements within the Landscape Manual are minimum standards and projects are encouraged to exceed the standards whenever possible. However, variances may be granted from the policies and requirements of the manual if undue hardships or special circumstances make a variance request necessary.

J. McClellan-Palomar Airport Land Use Compatibility Plan

The McClellan-Palomar Airport is a general aviation, publicly-owned, airport facility located approximately 2.5 miles to the south of the project site. The McClellan-Palomar Airport Land Use Compatibility Plan (ALUCP, 2010), "(1) provides for the orderly growth of the Airport and the area surrounding the Airport; and (2) safeguards the general welfare of the inhabitants within the vicinity of the Airport and the public in general (Pub. Util. Code §21675(a)." The airport land use compatibility plan addresses airport operational compatibility with surrounding land uses with respect to noise, hazards and safety, building heights, and land use density and type.

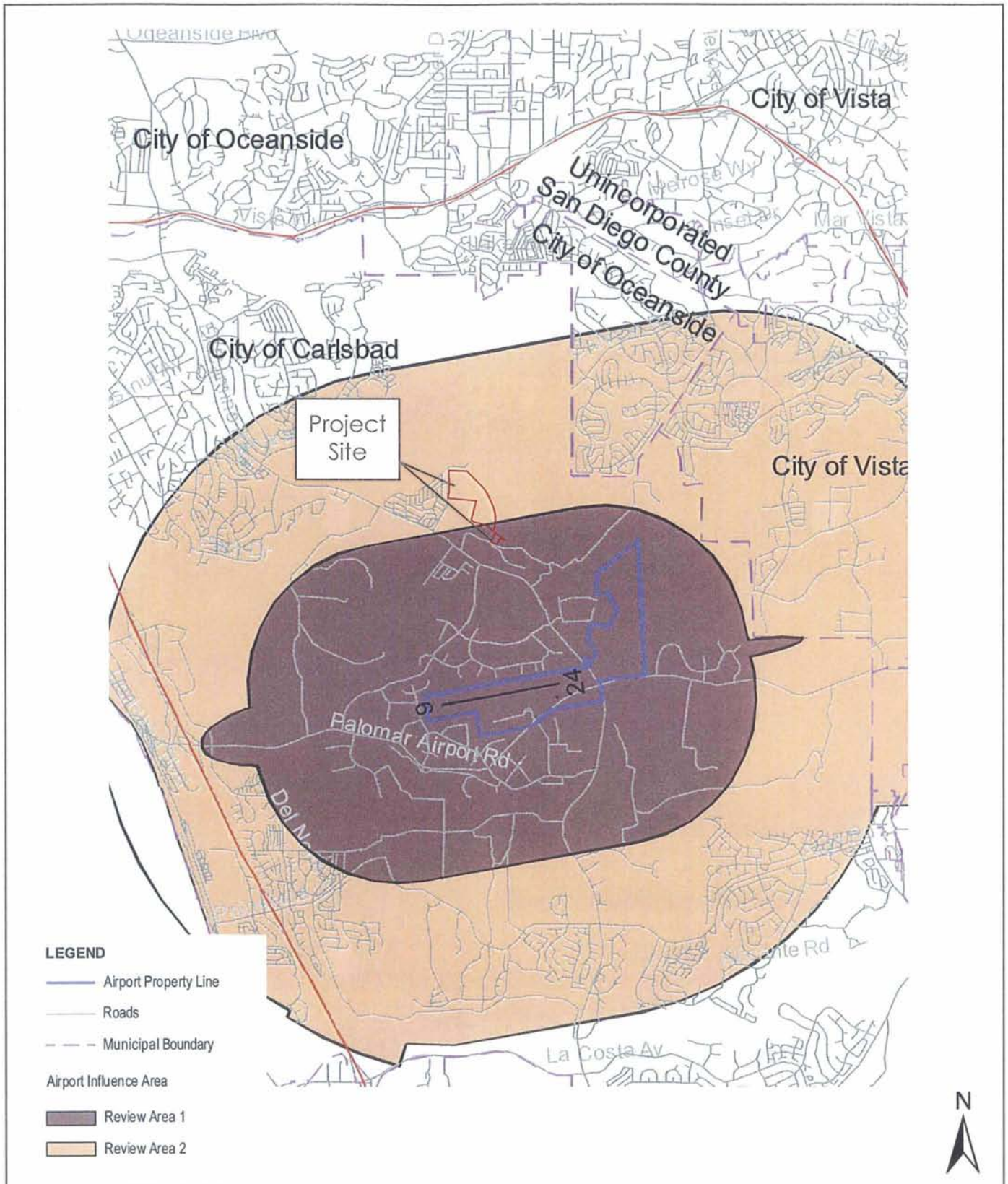
The compatibility plan essentially serves as a tool for the Airport Land Use Commission (ALUC) to use in fulfilling the Commission's duty to review land use plans and development proposals within the Airport Influence Area (AIA) of the McClellan-Palomar Airport. The AIA is defined as, "the jurisdiction of the ALUC and is the area where airport-related noise, safety, airspace protection, and overflight factors may significantly affect land use compatibility or necessitate restrictions on certain land uses as determined by the ALUC. Land use actions that affect property within the AIA are subject to the compatibility policies and criteria in this *Compatibility Plan*." The AIA is divided into Review Area 1 and Review Area 2. The CCRC site is located within the airport's AIA "Review Area 2." The affordable housing site is located within the airport's AIA "Review Area 1." The entire project site is located within the Federal Aviation Regulations Part 77 Airspace Protection/Notification boundary. Figure 5.1-5 depicts the project site location in the context of the ALUCP's "Compatibility Policy Map: Airport Influence Area." Figure 5.1-6 depicts the project site in the context of the "Compatibility Policy Map: Part 77 Airspace Protection."

Review Area 1 consists of locations where noise and/or safety concerns may necessitate limitations on the types of land use actions. Specifically, Review Area 1 encompasses locations exposed to aircraft noise levels of 60 dB CNEL or greater together with all of the safety zones depicted on the associated maps in Chapter 3 of the Airport Land Use Compatibility Plan. The recordation of overflight notification documents is required in locations within Review Area 1.

Review Area 2 consists of locations beyond Review Area 1 but within the airspace protection and/or overflight notification areas depicted on the associated maps in Chapter 3 of the Airport Land Use Compatibility Plan. Limits on the heights of structures, particularly in areas of high terrain, are the only restrictions on land uses within Review Area 2. The recordation of overflight notification documents is also required in locations within Review Area 2.

As depicted in Figure 5.5-1 of the Noise Section of this EIR, the project site is not located within the mapped noise contours, as defined in the McClellan-Palomar Airport ALUCP. All land uses located outside the 60 dB CNEL noise contour threshold are considered consistent with the ALUCP's noise compatibility policies.

As depicted in Figure 5.10-2 of the Hazardous Materials and Hazards Section of this EIR, the entire affordable housing site and a small area in the southern portion of the CCRC site are within the ALUCP's Zone 6 - Traffic Pattern Zone. Zone 6 is defined as containing the aircraft traffic pattern. Relative to the other zones, the risks in Zone 6 are much lower, but are still greater than in locations more distant from the



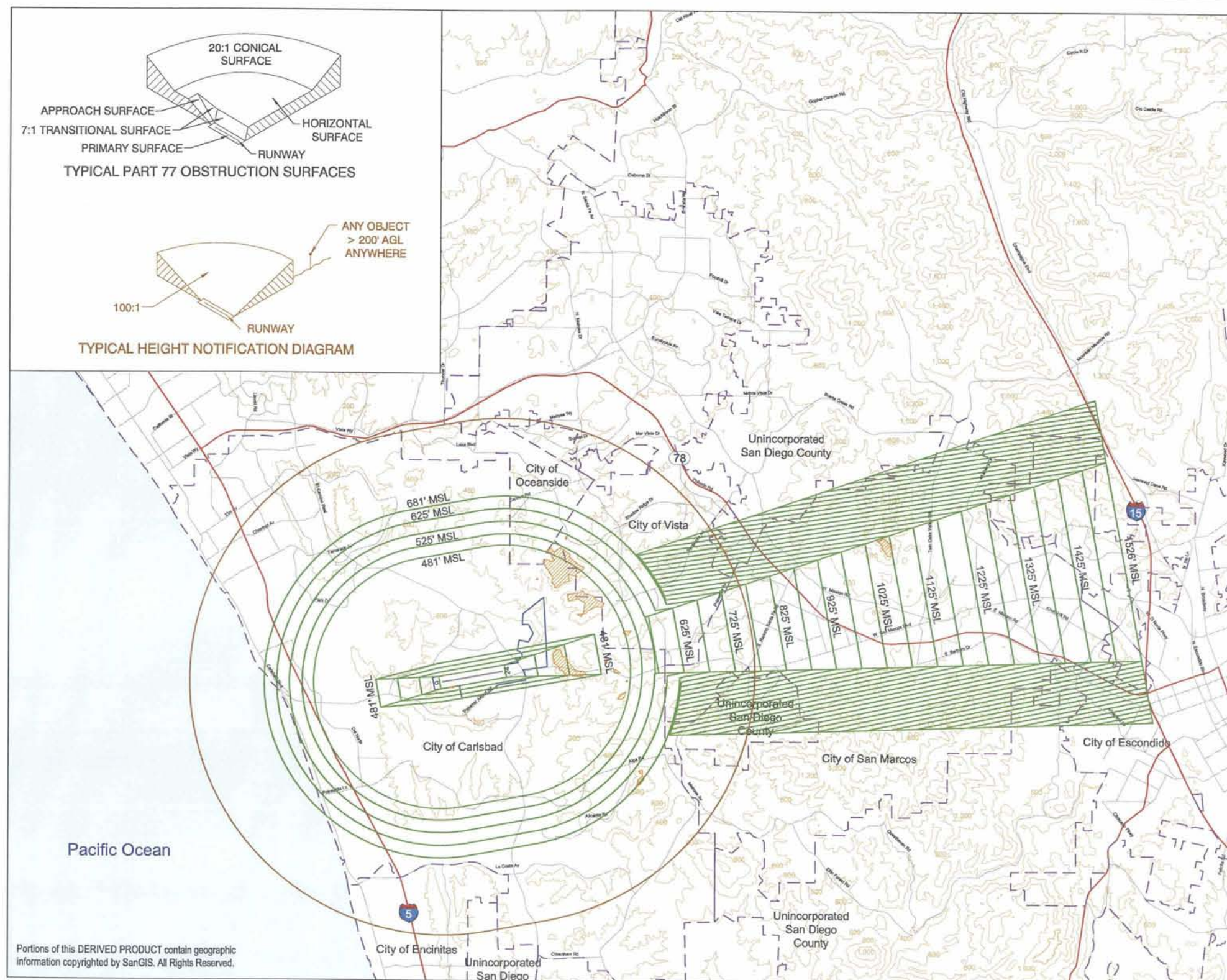
SOURCE: SANDAG, 2006; Mead & Hunt, Inc., 2008; Ricondo & Associates, Inc., 2009

7/29/10



Dos Colinas EIR
McClellan-Palomar ALUCP
Compatibility Policy Map: Airport Influence Area

FIGURE
5.1-5



SOURCE: Ricondo & Associates, Inc., 2009

9/15/10

Dos Colinas EIR

Compatibility Policy Map: Part 77 Airspace Protection

FIGURE
5.1-6



airport. As summarized in Table 5.1-1, the type of land uses proposed for the project in Zone 6 are compatible and no special land use restrictions as they relate to airport safety are applicable to the project site.

K. Open Space Conservation and Resource Management Plan

The City's Open Space and Conservation Resource Management Plan is a vital component of the implementation program for the City's Open Space and Conservation Element of the General Plan. The main objective of the plan is to protect the open space resources and landscape identity of the City of Carlsbad while allowing for growth opportunities. Figure 5.1-7 depicts the open space categories for the project site and surrounding area. As shown, the southern portion of the CCRC site, and the northern portion of the affordable housing site are designated as open space. This is the area traversed by Agua Hedionda Creek.

L. City of Carlsbad Habitat Management Plan (HMP)

The HMP in the City of Carlsbad is a long-range plan for conserving wildlife habitat while still allowing for additional development to occur in the City. The Plan establishes a wildlife preserve system consisting of approximately 5,750 acres of existing and proposed open space. The HMP is an adopted subarea plan within the proposed North County Multiple Habitat Conservation Plan. A majority of the project site is located within a "Proposed Standards Area" in the City of Carlsbad Habitat Management Plan (HMP) (see Figure 3-17 in Chapter 3.0 – Project Description of this EIR).

In addition, the project site comprises the central portion of Zone 15 of the HMP. The eastern half of Zone 15 is considered an integral part of the overall open space preserve system since it contains "Linkage Area" B, a critical wildlife corridor between "Core Areas" 3 and 4 (also a part of Zone 15) of the HMP. The proposed project is not located within a Linkage or Core Area; however, the affordable parcel is located just west of the southwestern extent of Core Area 5.

M. California State Senate Bill 375 (SB 375)

California State Senate Bill 375 was signed into law in 2008 and is intended to provide a means for achieving AB 32 Greenhouse Gas Emissions target reduction goals from cars and light trucks through long-range regional growth strategies and transportation plans. SB 375 is directed toward California's 18 Metropolitan Planning Organizations (MPO's). The San Diego Association of Area Governments (SANDAG) is San Diego County's MPO. An element of SB 375 requires that each MPO develop, as part of its regional transportation plan, what will become known as a "sustainable communities strategy." SB 375 does not take over local planning functions, and a sustainable community strategy does not in any way supersede a General Plan, specific plan, or local zoning ordinance. Furthermore, SB 375 does not require any consistency between the sustainable communities strategy and these planning and development regulatory documents.

TABLE 5.1-1
McClellan-Palomar Airport Land Use Compatibility Plan:
Safety Compatibility Criteria

Land Use Types/ Typical Uses	CBC Group *	Safety Zone						Criteria for Conditional (yellow) Uses
		1	2	3	4	5	6	
<ul style="list-style-type: none"> Multiple land use categories and compatibility criteria may apply to a project See Policy 3-4.7 for limits on ancillary uses ¹ 								<ul style="list-style-type: none"> Maximum Intensity and Lot Coverage limits apply to all Conditional uses ⁴ Numbers below refer to zones in which condition specified is applicable Numbers in yellow cells are Floor Area Ratios for indicated uses ⁴
Maximum Intensity (People/Gross Acre-sitewide average) ² Nonresidential development		0	70	130	130	200	No limit	
Intensity with Risk Reduction Policy Objectives (People/Gross Acre-sitewide average) Nonresidential development ³		n/a	105	260	260	400	No limit	
Maximum Lot Coverage (Bldg footprint/site size) Applicable to all conditional development		0%	50%	60%	70%	70%	100%	
CCRC Site- Proposed Facility								
Congregate Care Facilities (>5 clients): nursing homes, assisted living facilities [approx. 100 s.f./person]	I-1.1, I-2			0.30	0.30			3,4; FAR limits as indicated
				0.60	0.60			
Affordable Housing Site- Proposed General Plan Designation/Zoning								
Residential, >13.0, ≤16.0 d.u./acre	R-1							2,5: Portions of parcel including accessory buildings can be in Zone 2 or 5, but dwelling must be outside these zones See Policy 3.4.4(b)(2)

Notes:

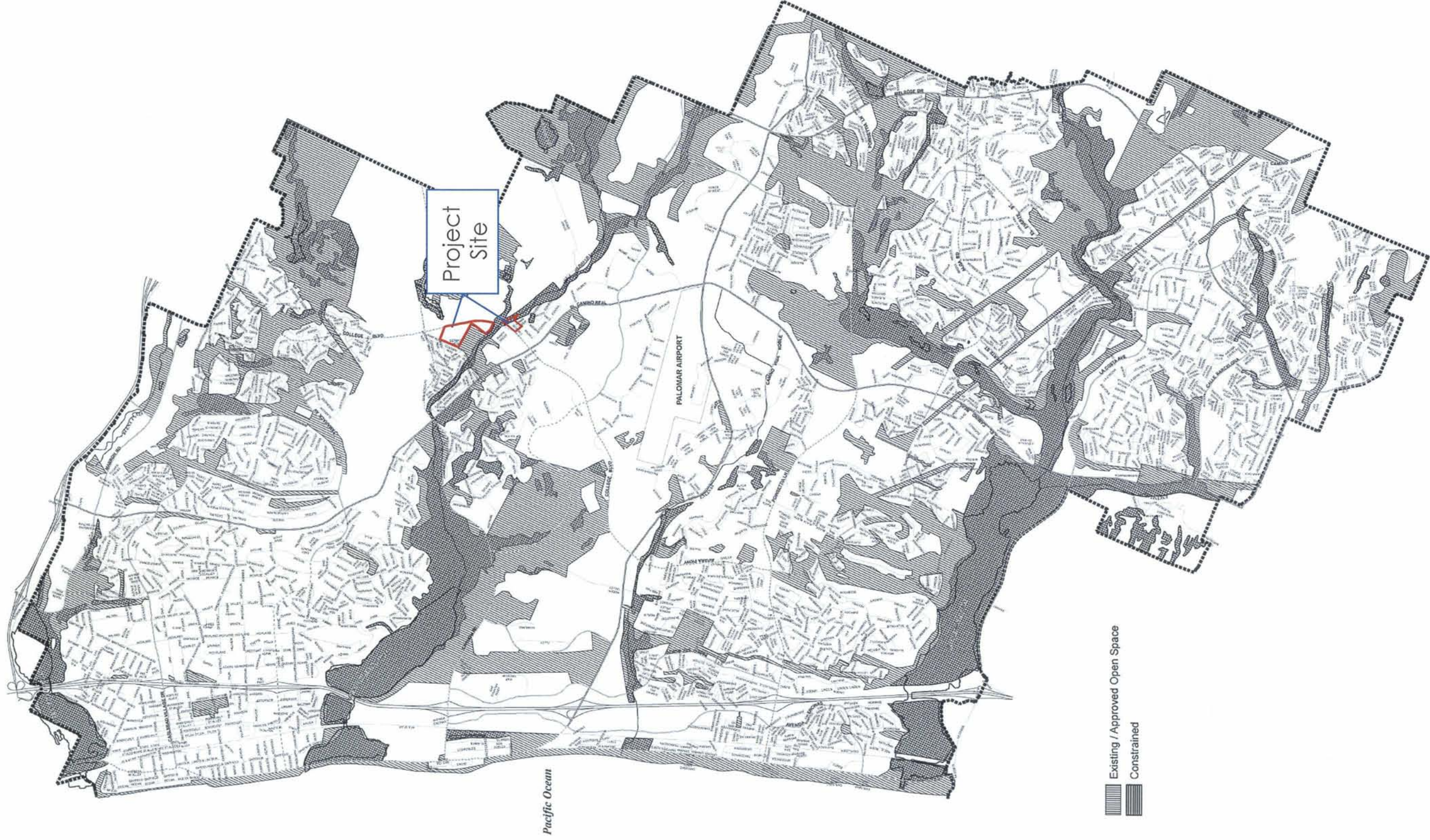
Land Use Acceptability	Interpretation/Comments	
	Compatible	Use is compatible (noise, airspace protection, and/or overflight limitations may apply).
	Conditional	Use is compatible if all listed conditions are met; additionally, the following condition applies to the indicated land uses and safety zones: A This land use is conditionally compatible in Safety Zone 2. The maximum intensity is limited to 70 people per acre, whether or not risk reduction

		policy objectives are incorporated into buildings. To the maximum extent that the site permits, buildings associated with this use should be situated outside of Safety Zone 2 and the Safety Zone 2 portion should be devoted primarily to automobile parking, circulation, landscaping, or other low-intensity functions.
	<i>Incompatible</i>	Use is not compatible under any circumstances.

d.u.= dwelling units; s.f.=square feet

- * CBC Group: Refers to building occupancy types established by *California Building Code* (see Appendix D of this documents for listing).
- 1 Ancillary Uses: Land use types for which a FAR limit in this table as a condition for acceptability in a particular safety zone may have up to 10% of the floor space devoted to an ancillary use of another type, even a use with a higher occupancy load factor, provided that the ancillary use is neither:
 - (a) An assembly room having more than 650 occupants; nor
 - (b) A school, day care center, or other risk-sensitive use that is "incompatible" within the safety zone where the primary use is to be located.
- 2 Gross Acreage and Net Acreage: If an applicant chooses to calculate nonresidential intensity as people per net acre rather than gross acre, a 20% increase in the maximum intensity levels presented in this table is permitted.
- 3 Risk Reduction Policy Objectives: The goal of risk reduction design features is to ensure safety for building occupants. Buildings that incorporate the special risk reduction policy objectives listed below are allowed maximum usage intensities as shown along the top of this table. A corresponding increase in FAR is also allowed.
 - (a) To qualify for the maximum usage intensities described above, an applicant shall demonstrate to the satisfaction of the responsible *local agency* that the building has been designed to minimize risk and increase the safety of building occupants beyond the minimum requirements of the California Building Code. Applicants requesting increased intensity in exchange for risk reduction are to be evaluated against the policy objectives listed below:
 - (1) Provides increased fire resistance rated construction to prevent or delay fire-induced structural damage;
 - (2) Provides increased fire protection systems to allow occupants more time to exit the building and to delay the spread of fire to adjacent buildings;
 - (3) Provides enhanced means for building egress;
 - (4) Addresses aircraft impact loads in the design on the building's structural systems in order to reduce the potential for structural damage.
 - (b) The *local agency* may substitute comparable risk reduction policy objectives to those specified above, provided that:
 - (1) the objective(s) meet safe-building objectives defined in *Compatibility Plan* policies; and
 - (2) the *local agency* and/or a design architect/structural engineer certify that the objective(s) meet *Compatibility Plan* policy objectives.
- 4 Relationship of FAR to Maximum Intensity and Lot Coverage Limits: Maximum allowable FAR is indicated for some conditional uses. In those cases, either (1) the maximum FAR or (2) the maximum intensity and lot coverage limits apply.

Sources: San Diego County Regional Airport Authority, December 2009.



5.1.2 Thresholds for Determining Significance

For the purposes of this EIR, a significant land use impact would occur if the project would:

- *Create incompatibilities of land use on site or with adjacent land uses;*
- *Physically divide an established community;*
- *Conflict with any applicable land use plan, policy or regulation including the General Plan, Zoning Ordinance, Zone 15 Local Facilities Management Plan, Hillside Development Ordinance, Floodplain Management Regulations, Inclusionary Housing Ordinance, Growth Management, Landscape Manual, Open Space Conservation and Resource Management Plan, and the Airport Land Use Comprehensive Plan (ALUCP) for McClellan Palomar Airport; or*
- *Conflict with the City of Carlsbad's Habitat Management Plan (HMP).*

5.1.3 Environmental Impact

5.1.3.1 Compatibility with On-Site Land Uses

The southern portion of the CCRC site contains an unoccupied residence and ancillary equestrian-related structures located on the proposed open space parcel. The unoccupied residence and ancillary structures would be removed as part of the project. The project site would then be developed with a cohesively-planned Continuing Care Retirement Community, RV storage and garden area, as well as an affordable housing complex. The CCRC facility is intended to be a multi-unit, independent and assisted-living residential community catering to older adults who would have access to various on-site services and amenities. The CCRC site would consist of 309 units which includes a mixture of detached cottages, and attached independent living (IL) and assisted living units. The cottages and independent living units would have access throughout the development to different amenities and use areas, such as pocket parks and recreation courtyards, as well as the central dining area. Due to the type of care provided to the residents of the assisted living building, the amenities provided will be separate from the other components of the CCRC facility. Landscaping, enhanced streetscapes and various architectural features and signage would form a sense of community within the CCRC site.

Parcels 3 and 4 of the CCRC site (see Figure 3-5) are proposed as open space. Parcel 3 is a 1.21-acre open space lot proposed for open space to preserve the existing native upland habitat. Parcel 4 is a 5.19-acre open space lot, which will preserve a large riparian area including Agua Hedionda Creek. The project design provides for a buffer between these passive open space lots on the southern perimeter of the CCRC site with the southerly portion of the proposed development area of the CCRC site, where the cottages are proposed. Proposed open space parcels 3 and 4 would be buffered by development by a minimum 60-foot wide fuel modification zone located between the proposed open space parcels and development areas. Open space parcel 3 would be separated by a minimum 60-foot fuel modification buffer, although a private driveway to serve a cluster of cottages would be located within this zone. The majority of parcel 3 is buffered by a natural, or landscaped fuel modification zone as well as an approximate 15-foot high slope. Pedestrian walkways would also be located within this zone. However, the cottages and associated pathways are not highly-intensive uses, only low-scale shielded lighting is

proposed along with walkways, and minimal noise intrusion would be expected. In the southeastern portion of the CCRC site, proposed cottage lots would be separated by a minimum of 60 feet and up to approximately 160 feet from the proposed open space parcel 4. Also, topographical buffering would include an elevation separation between the two areas of approximately 15 to 32 feet between the proposed open space parcel 4 and CCRC development areas.

The more intensive use areas of the CCRC site would be the independent living and assisted living units. The buildings that would house these units would be located along College Boulevard, with the majority of the surface parking being located in between the buildings and the frontage of College Boulevard. The cottage homes would be located on the periphery of the independent living and assisted living units, where less intensive activity would occur. Two loading zone/delivery areas would operate on the east side (oriented towards College Boulevard and the surface parking areas) of the assisted living/Alzheimer building and between Independent Living Buildings 1 and 2. The loading zones would be used to deliver goods and it is anticipated that between two to five deliveries would occur throughout the day, each weekday using vans and medium sized trucks. The service areas will be shielded by walls associated with the IL and AL buildings, and would not result in a noise impact to the proposed IL and AL units, or the closest cottage residents located to the west and south of the proposed loading areas (see Section 5.5- Noise of this EIR). Also, these areas are shielded from view by the IL and AL buildings, as well as proposed landscaping.

The RV storage/garden area would be located to the west of the CCRC site; however this area would not directly interface with proposed CCRC cottages. The RV storage area would be separated from the cottages by an internal roadway, perimeter wall, landscaping, and detention basins. In addition, these areas would be separated topographically by a manufactured fill slope for the cottages which is approximately 20 feet in height.

The affordable housing site would be developed with an apartment complex comprising the residential building, surface parking, a detention basin, and open space. A fence would be located at the southern boundary of the detention basin, precluding general access into that area and the open space parcel (Agua Hedionda Creek) beyond. The proposed detention basin would be located within the limits of a required habitat buffer, as required by the HMP. However, a restrictive covenant would be placed over this area which would limit the allowable uses in this area to conservation of habitat, compatible enhancement and maintenance activities, and minimal maintenance activities for purposes of maintaining the basin hydrologic function. Only native, non-invasive species would be allowed in the basin, and the basin's vegetation would be allowed to mature and persist as riparian habitat. Please refer to Section 5.6 Biological Resources of this EIR for the analysis of locating the proposed detention basin within the required habitat buffer. There would be no uses internal to the site that would represent a potential land use compatibility conflict.

In summary, there would be no internal land use compatibility conflict between uses located within the CCRC site, RV storage and garden area, or the affordable housing site and no impact related to this issue would occur.

5.1.3.2 Compatibility with Off-Site Land Uses

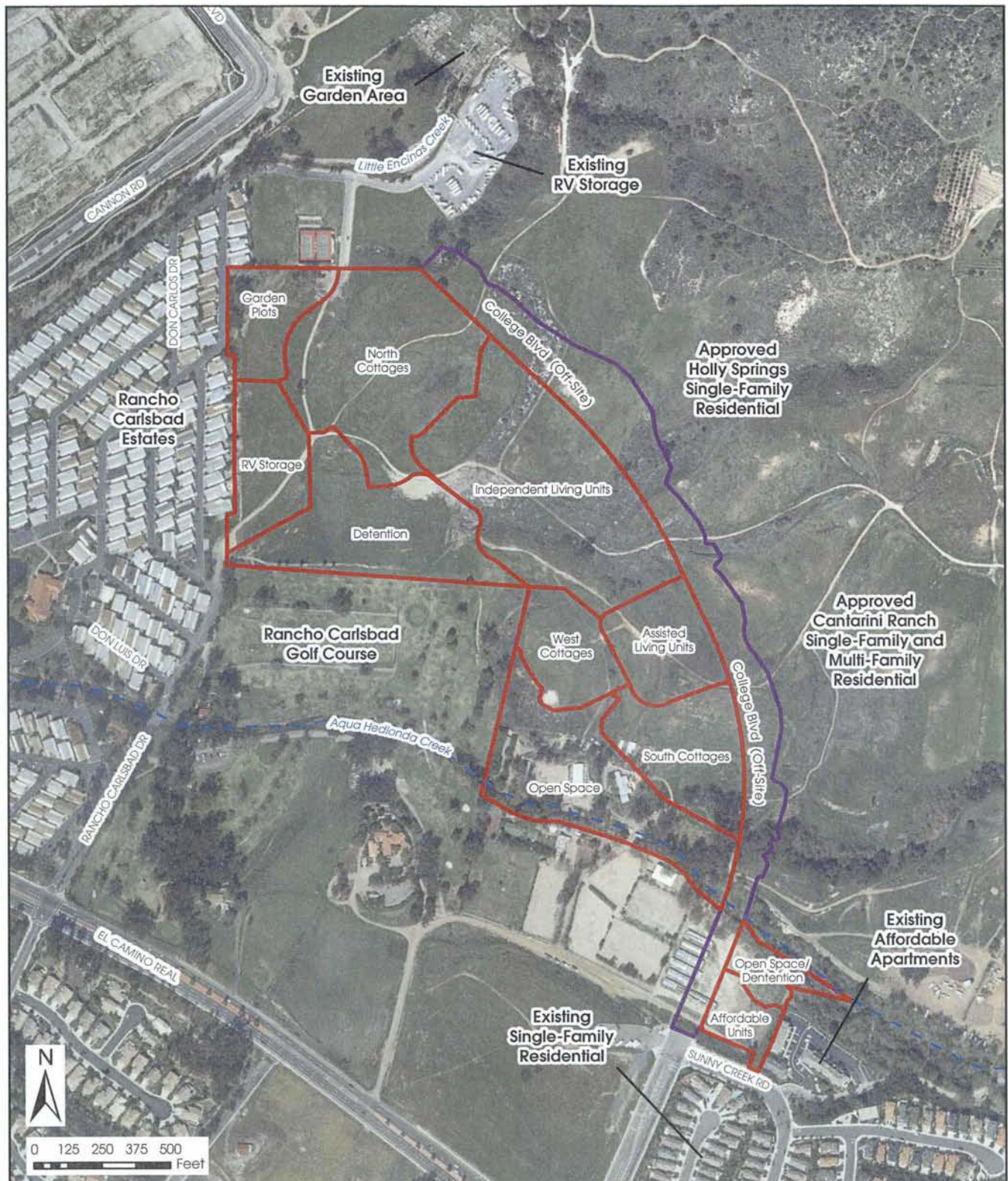
CCRC Site

The majority of the CCRC site proposed for development would not be located immediately adjacent to any existing, or planned residential uses or other use that would be considered an incompatible land use. The developed portions of the CCRC site would be largely separated from adjacent uses by intervening features such as College Boulevard, detention basins, open space, and the RV Storage/garden area. Figure 5.1-8 depicts the general project components and the relationship of these components to surrounding land uses.

The parcel located immediately north of the project site (APN #16805035) contains the existing tennis courts, bocce ball area, access road and parking. The proposed garden plots would be located adjacent to these uses, and would compliment the uses by providing an amenity for the residents of Rancho Carlsbad Estates in closer proximity to their residential units and other existing common use areas (e.g., the tennis courts). Cottage Homes are also proposed in the northern portion of the CCRC site. These homes are small scale, single-story homes and would not be located immediately adjacent to existing uses off-site. The proposed cottage homes would be separated by the proposed private drive that would provide access to the tennis courts, and would be separated topographically by an elevation of approximately 20 feet. No land use compatibility impact would occur with land uses to the north of the CCRC site.

The southern portion of the CCRC site is proposed for a large detention basin facility and an open space parcel. The large detention basin would be located immediately north of the length of the 18th-hole fairway for the Rancho Carlsbad Golf Course. The detention basin is a passive use and would not interfere with golf course activity, nor would the golf course represent a potential nuisance to the detention facility (e.g., no homes are proposed in this area that could be exposed to errant golf balls). Furthermore, open space parcel 4 would accommodate the area of Agua Hedionda Creek. No active uses or development is proposed in this area. As viewed from the golf course, the immediately adjacent use of the CCRC site would be the large detention basin, which would extend a majority of the 18th fairway. Also, a manufactured 2:1 slope approximately 12-15 feet in height, and the single-story detached cottages would be adjacent to this portion of the golf course. These uses are considered compatible with golf course activity. Landscaping would be provided on the manufactured slope consistent with the fire zone fuel modification requirements. Because only passive uses (i.e., detention basin and single-story detached cottages) and open space is proposed in the southerly portion of the CCRC site, no land use compatibility impact would occur with land uses to the south of the CCRC site.

The CCRC project site would be fronted on the east by the future extension of College Boulevard Reach "A." There would be no immediate interface with planned single-family and multi-family residential land uses located further east of College Boulevard (i.e., Cantarini Ranch and Holly Springs). College Boulevard would be constructed within a 102 foot wide right-of-way, with an 18 foot wide landscaped median. Additionally, along the project frontage, a 20 foot wide landscape buffer and pedestrian access easement would be provided. A sound wall would also be located along the CCRC site frontage adjacent to College Boulevard. The IL and AL buildings would be set back from College Boulevard a minimum of 120-



SOURCE: ESRI, 2010; Hunsaker & Associates, 2010; BRG Consulting, Inc., 2010

9/15/10



Dos Colinas EIR

Relationship to Surrounding Land Uses

FIGURE

5.1-8

feet and would be lower than College Boulevard by 5 to 20 feet, depending on the location along College Boulevard. Because there would be no immediate interface with proposed residential uses located to the east, as well as intervening buffers and separation provided by College Boulevard, proposed topography changes, the landscaped buffer and sound wall, no land use compatibility impact would occur with land uses to the east of the CCRC site.

The RV storage and garden area is proposed in the northwestern portion of the CCRC site. These two project components would be located on a separate legal parcel and would serve the Rancho Carlsbad Estates (RCE) community. The RV storage area would be located immediately east of approximately 10 existing residential homes in Rancho Carlsbad Estates which front Don Alberto Drive at the eastern boundary of the Rancho Carlsbad Estates. In order to minimize any potential conflict between the existing residential uses and the proposed RV storage, a 40-foot wide landscaped buffer and a perimeter wall, comprised of an eight-foot high concrete block wall with a two-foot high landscaped berm at the foot of the wall would be provided between the proposed RV storage area and the existing residences. The two-foot high landscaped berm would reduce the visual height appearance of the perimeter wall from eight feet to six feet. Additionally, these two areas would be separated topographically by approximately six feet in elevation. This proposed condition between the existing residences and the proposed RV storage area is depicted in Figure 5.11-15 of Section 5.11 Grading and Aesthetics. With the provision of the 40-foot wide landscape buffer and perimeter wall, no land use compatibility impact between the proposed RV storage component of the project and existing residences to the west would occur.

Affordable Housing Site

As with the CCRC site, the affordable housing site would not be located immediately adjacent to any existing, or planned residential uses or other use that would be considered an incompatible land use. The northern portion of the affordable housing site, which comprises a portion of Agua Hedionda Creek, is proposed as an open space parcel. A detention basin is proposed immediately south of the open space parcel. While not formally designated as open space, an open space easement is proposed over the detention basin. The detention basin would involve a relatively passive use with periodic maintenance, and would not conflict with open space uses to the north of the project site.

The affordable housing site would be located in proximity to, but not immediately adjacent to the existing Terraces at Sunny Creek single-family development. Immediately to the south of the affordable site, between the site's southern boundary and Sunny Creek Road, is a remnant sliver of land approximately 50 feet wide. Sunny Creek Road includes an 84-foot right of way with sidewalks. Together, the vacant remnant and Sunny Creek Road provide a minimum of 134-feet physical separation between the proposed building and the existing single-family neighborhood. Furthermore, the access and parking would be provided internally to the site, maintaining the more active uses internal to the affordable site. Proposed landscaping at the southern boundary of the affordable housing site would include tiered retaining walls, a sound wall at the top of the retained slope, and landscaping. Together, the physical distance between proposed development and existing single-family residences, in conjunction with landscaping and perimeter walls, would ensure that no land use compatibility conflict occur between the proposed affordable housing site and existing single-family residences to the south.

Immediately to the east of the site is an existing Terraces at Sunny Creek affordable multi-family housing development (high density apartment complex). The proposed affordable housing complex and the existing Terraces at Sunny Creek affordable housing development are considered compatible uses in terms of density and land use type. Furthermore, the proposed multifamily building would be separated from the westernmost building on the Terraces site by internal street and parking, and a landscaped perimeter. No land use compatibility conflict with existing uses to the east of the affordable site would occur.

The western boundary of the affordable housing site would be fronted by the future extension of College Boulevard Reach "A." Sound walls would be provided along the affordable site's frontage with College Boulevard. No land use conflict would occur between the proposed affordable site and the College Boulevard extension to the west.

In summary, no land use compatibility impact between the proposed affordable housing site component of the project and existing and/or proposed off-site land uses is anticipated.

5.1.3.3 *Existing Land Use Plans, Policies and Regulations*

A. City of Carlsbad General Plan

An amendment to the General Plan is required in order to implement the proposed project. Figure 5.1-9 depicts the proposed General Plan Land Use designations for the project site.

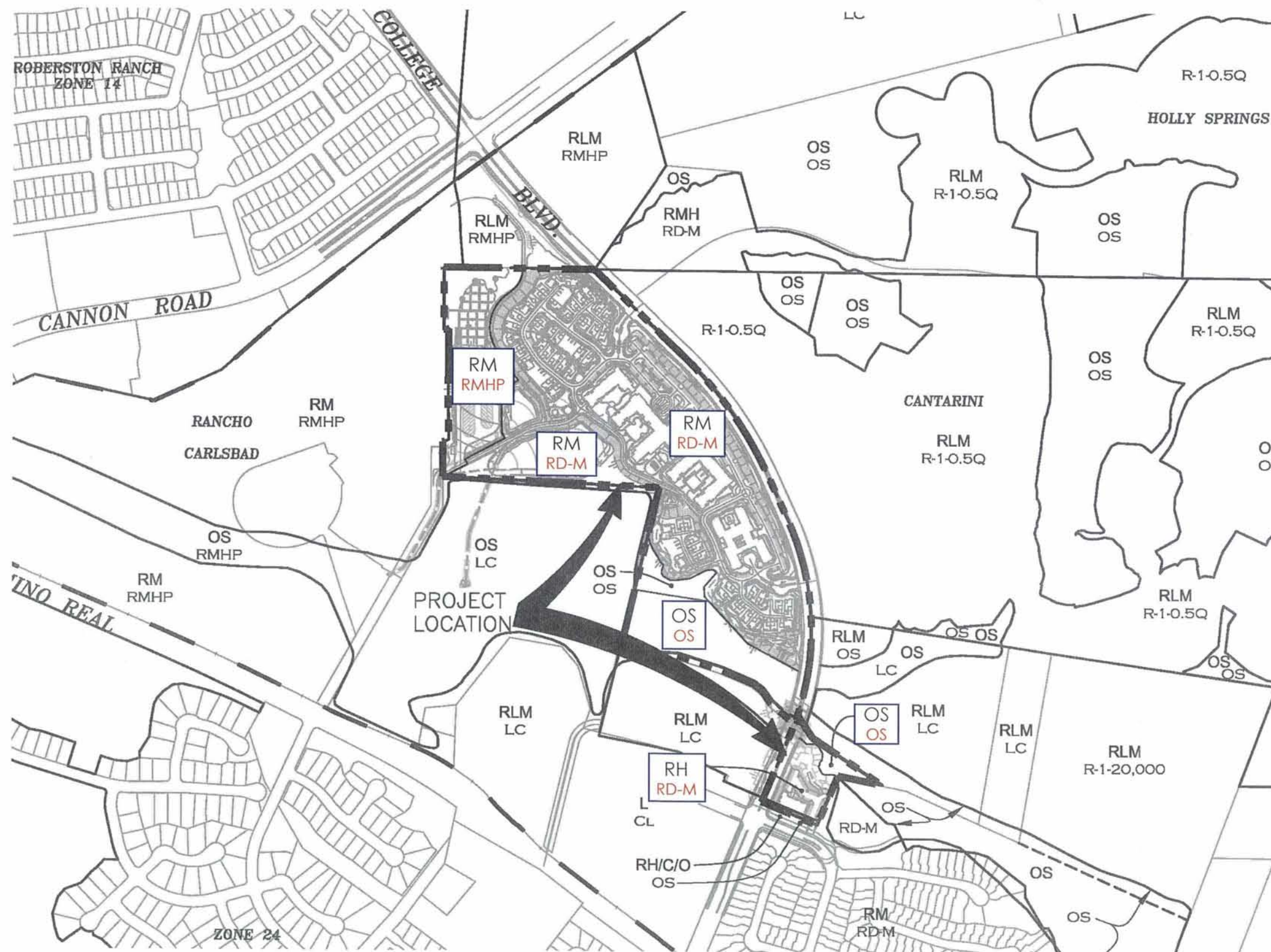
CCRC Site

As proposed, the CCRC site would be re-designated from its existing General Plan Land Use designation of RLM (Residential Low-Medium Density, 0-4 du/ac), and OS (Open Space), to Residential, Medium Density (RM) (Medium Density, 4-8 du/ac), and OS. As shown on Figure 5.1-9, the portions of the site proposed for the continuing care units, detention basins, and the RV storage and garden area would be designated RM. The proposed southerly parcels (2) that contain native upland habitat and the area encompassing Agua Hedionda Creek would be designated OS.

Affordable Housing Site

The affordable housing site would be re-designated from its existing General Plan Land Use designation of RLM and OS to RH (Residential, High Density, 15-23 du/ac) and OS. As shown on Figure 5.1-9, the portion of the site proposed for the apartments and the detention/water quality basin would be designated RH, and the area encompassing the riparian canopy, Agua Hedionda Creek, and buffer would be designated as OS.

The proposed General Plan amendment associated with the project does not, in and of itself, represent an environmental impact. No significant environmental impact associated with the proposed general plan amendment is anticipated. The degree to which the General Plan amendment would allow for the implementation of the proposed project, and the associated environmental impacts of the proposed project are addressed in subsequent environmental analysis sections within this EIR. The proposed project would be generally consistent with applicable goals and policies of the General Plan, would further



SOURCE: Ladwig Design Group, Inc., 2010

9/15/10



Dos Colinas EIR

Proposed General Plan and Zoning

FIGURE
5.1-9

achievement of certain goals and policies of the General Plan, and would not obstruct implementation of any General Plan goal or policy.

General Plan Policy Analysis

Land Use Element

- A City which provides for land uses which through their arrangement, location and size, support and enhance the economic viability of the community.
- A City which provides for a variety of housing types and density ranges to meet the diverse economic and social requirements of residents, yet still ensures a cohesive urban form with careful regard for compatibility while retaining the present predominance of single-family residences.
- A City with neighborhoods that have a sense of community where residents including children, the disabled, and the elderly feel safe and comfortable traveling to daily destinations; where homes and trees line the streets; where central gathering places create focal points and where recreation areas are provided for a variety of age groups.

Project Consistency: The proposed project provides land uses that would provide additional housing opportunities within the City, would contribute to open space preservation and enhancement, and would serve existing residents of the Rancho Carlsbad Estates. The CCRC facility will be a professional care facility offering specialized housing including dietary and medical services for the elderly. Within the CCRC site, a mix of housing arrangements would be provided. A new community would be created that would offer older adults an opportunity to live in a community with various amenities. The multi-family affordable housing development would provide low-income housing opportunities in the City thereby meeting housing element goals. In addition, the project would provide RV parking and garden amenities to be utilized by the Ranch Carlsbad Estates residents, and would provide open space within, and adjacent to, the Agua Hedionda Creek.

Housing Element

- The City should assure the future developments provide an adequate diversity of housing, with types, prices, tenures and locations consistent with the age and economic characteristics of present and future residents.
- The City should provide affordable housing opportunities in a variety of types and locations to meet the needs of current low and moderate income households and a fair share proportion of future low and moderate income households.

Project Consistency: As described above (Land Use Element project consistency), the proposed project would provide an adequate diversity of housing. The CCRC component of the project would provide housing for the elderly and those in need of assisted living arrangements with several different housing types proposed. The affordable housing component proposes 29 one to three bedroom multi-family units that will provide housing opportunities for low-income households.

Circulation Element

- A City with an adequate circulation infrastructure to serve the projected population.
- A City with a transportation system which helps to minimize air pollution and traffic congestion and supports commerce and economic development.

Project Consistency: In order to provide adequate access to both the CCRC and affordable sites, the proposed project includes the construction of the core and frontage improvements for College Boulevard Reach "A." The construction of College Boulevard Reach "A" would complete this General Plan Circulation Element roadway, resulting in improved circulation infrastructure for the area's future needs. The traffic impact analysis for the proposed project concluded that no capacity related impacts were identified at key study area intersections and street segments.

Public Safety Element

- A City which minimizes injury, loss of life and damage to property resulting from fire, flood, crime, hazardous material, or seismic disaster occurrence.

Project Consistency: The City of Carlsbad has adopted the City of Carlsbad Emergency Plan, which addresses the City's planned response to extraordinary emergency situations. The City's plan identifies certain open space areas and public buildings to serve as emergency shelters when residents must be relocated. The proposed project site is not designated as an emergency shelter area.

The project site currently consists of primarily vacant, undeveloped land with native and non-native vegetation. The existing naturally vegetated areas of the project site which are proposed to remain represent a potential wildland fire hazard. However, in accordance with the City of Carlsbad Landscape Manual and fire department requirements, a Fire Fuel Modification Zone will be implemented adjacent to proposed open space edges of the project. Adherence to the fuel modification zones would ensure the potential fire hazard remains at a less than significant level.

The low-lying alluvial areas of the CCRC site and the entire affordable housing site are at a significant risk to flooding, as they are located within a 100-year flood plain. However, the portions of development in the 100-year floodplain would be raised above the floodplain and floodwaters would be directed and channelized through appropriate storm drain facilities which would ensure there is no increased risk associated with flooding to existing or future residents in the area.

The proposed project would involve the development of a 309-unit Continuing Care Retirement Community and up to 29 affordable housing units. Operation of the CCRC would involve the routine use and storage of hazardous materials and hazardous waste, including medical waste. However, the project will not result in a significant hazard to the public or environment because all storage, handling, transport, emission and disposal of hazardous substances will be in full compliance with local, State, and Federal regulations.

Noise Element

- A City which is free from excessive, objectionable, or harmful noise.
- A City where land uses are not significantly impacted by noise.
- To provide a roadway system that does not subject surrounding land uses to significantly adverse noise levels.

Project Consistency: As discussed in Section 5.2 Transportation/Circulation, approximately 1,340 average vehicle trips per day would be generated by the proposed project. The primary noise source associated with the proposed project will be from traffic along College Boulevard. Noise barriers would be constructed along College Boulevard Reach "A" between proposed residential uses and the roadway, which would reduce vehicular noise levels to below a level of significance.

Open Space and Conservation Element

- An open space system of aesthetic value that maintains community identity, achieves a sense of natural spaciousness, and provides visual relief in the cityscape.
- An open space system that improves the quality of life for the citizens of Carlsbad.

Project Consistency: The proposed project would preserve approximately 7.07 acres of open space. 1.88 acres would be preserved through a biological conservation easement while the remaining 5.19 acres will be preserved through an open space easement. In addition, a total of 2.7 acres of Diegan coastal sage scrub would be preserved and protected on the site. The proposed open space areas are consistent with the City's Official Open Space and Conservation Map (see Figure 5.1-7).

B. City of Carlsbad Zoning Ordinance**Zone Change****CCRC Site**

The CCRC site is currently zoned Limited Control (L-C). The intent and purpose of the L-C zone is, "to provide an interim zone for areas where planning for future land uses has not been completed or plans of development have not been formalized. After proper planning or plan approval has been completed, property zone [d] L-C may be rezoned in accord with this title" (Carlsbad Municipal Code, Section 21.39.010). CMC Section 21.52.010 states, that zoning may be amended "whenever public necessity, convenience and general welfare require." The proposed project would rezone the CCRC site from L-C to Residential Density-Multiple (RDM) and Open Space (OS) for the native habitat areas, including an area dominated with native upland habitat as well as Agua Hedionda Creek and its supporting riparian canopy and buffer. This rezone would allow for the development of the CCRC facility, which would be compatible with the Rancho Carlsbad Estates. The CCRC facility would serve older residents, with the lower-density single-family cottages located on the periphery of the CCRC site, providing a density transition between the RCE community and the higher-intensity IL and AL buildings.

The zone change would also result in the designation of a portion of the CCRC site as open space. An existing vacant home, a septic system used to treat wastewater from the home, and ancillary equestrian-related structures are currently located in the parcel proposed to be zoned as open space (OS) (i.e. the parcel on the southern portion of the CCRC site). As a condition of project approval, the existing vacant house, associated septic system, and ancillary structures would be removed from the project site. The existence of these structures, which would become non-conforming uses under the new open space zone, is not considered an environmental impact (i.e., the existence of a non-conforming use such as a single-family residence in an open space zone in and of itself is not an environmental impact). Nevertheless, these structures would be removed from the project site as part of project implementation. The rezone of the southerly parcel to open space would accommodate Agua Hedionda Creek.

RV Storage/Garden Parcel

The RV storage/garden parcel is currently zoned Limited Control (L-C). The RV storage and garden area will be re-zoned from L-C to Residential Mobile Home Park (RMHP), which will expand the limits of the area currently zoned RMH in association with Rancho Carlsbad Estates. The RV storage/garden parcel would serve the RCE community.

Affordable Housing Site

The affordable housing site is currently zoned Limited Control (L-C). The proposed project would rezone the affordable housing site from L-C to Residential Density-Multiple (RDM) and Open Space (OS) for the area of Agua Hedionda Creek and its supporting riparian canopy and buffer. The rezone of the site to RDM would be compatible with the existing zone (RDM) and development (high density affordable housing) immediately adjacent to this parcel.

Conditional Use Permit

Although the CCRC site would be rezoned from Limited Control (L-C) to Residential Density, Multiple (RDM), the CCRC component of the project would be classified as a professional care facility (CMC 21.04.295). Therefore, pursuant to CMC Chapter 21.42 (process 2), the project is subject to the approval of a Conditional Use Permit (CUP). The purpose of a CUP is to allow special consideration for certain uses to be located in zones other than those in which they are classified as permitted because of their particular characteristics. With respect to the proposed project, although the CCRC component has characteristics of a commercial use, it would be located within a residential zone, and approval of the use would occur through issuance of a CUP. Approval of a CUP is subject to findings that would be made by the City decision-makers (i.e., Planning Commission and City Council) that the proposed use would not be detrimental to the peace, health, safety and general welfare and that the project's compatibility within the zone and its surroundings can be assured. Specifically, CMC Section 21.42.030 identifies that the following findings must be made:

1. That the requested use is necessary or desirable for the development of the community, and is in harmony with the various elements and objectives of the general plan, including, if applicable, the certified local coastal program, specific plan or master plan;

The proposed CCRC facility is consistent with the various elements and objectives of the general plan. The proposed CCRC facility will provide desirable professional care facilities for senior residents of Carlsbad and will contribute to the General Plan goal of creating a socially integrated community. The CCRC facility will be a professional care facility, providing 309 units for the elderly and those in need of assisted living arrangements, offering specialized housing including dietary and medical services for the elderly. Within the CCRC site, a mix of housing arrangements would be provided, and a new community would be provided. The project will involve the construction of infrastructure improvements such as sewer, water, and drainage in order to accommodate the number of units and supporting uses proposed. The proposed project also includes the construction of the core and frontage improvements for College Boulevard Reach "A." The construction of College Boulevard Reach "A" would complete this General Plan Circulation Element roadway, resulting in improved circulation infrastructure for the area's future needs. The traffic impact analysis for the proposed project concluded that no capacity related impacts were identified at key study area intersections and street segments.

The proposed project would preserve approximately 7.07 acres of open space. The proposed open space areas are consistent with the City's Official Open Space and Conservation Map.

2. That the requested use is not detrimental to existing uses or to uses specifically permitted in the zone in which the proposed use is to be located;

The proposed CCRC facility would be located within the RD-M zone, and would be the only use proposed within that zone for the project site. The project proposes a comprehensively planned facility that would provide health care and amenities to serve the entire CCRC community. The proposed use would not be detrimental to existing uses or to uses specifically permitted in the zone as the site is currently vacant and the CCRC facility would be the only use within the RD-M zone. The CCRC facility is a professional care facility for seniors that will not involve the use of hazardous materials in significant quantities, would not create excessive noise, or involve intensive or nighttime activities that would be detrimental to surrounding uses. Primary access to the CCRC facility will be provided off of College Boulevard; therefore, project traffic will not occur through existing neighborhoods, and no capacity related impacts were identified at key study area intersections and street segments. The closest residential use to the proposed CCRC facility is the Rancho Carlsbad Estates (RCE). The CCRC facility will not directly interface with the RCE. The proposed RV storage/garden plots, detention basins, open space parcels will be located on the western and southern perimeter of the site, providing low-intensity uses adjacent to the RCE, and a physical separation between the CCRC facility and RCE of over 720 feet.

3. That the site for the proposed conditional use is adequate in size and shape to accommodate the yards, setbacks, walls, fences, parking, loading facilities, buffer areas, landscaping and other development features prescribed in this code and required by the planning director, planning commission or city council, in order to integrate the use with other uses in the neighborhood;

The proposed CCRC facility will be located on a large parcel, allowing for development of the site in a cohesive manner and meeting the development standards as required by the City. All of the required development standards of the underlying RD-M zone, and as required for a commercial use, have been accommodated including yards, setbacks, walls, fences, parking, loading facilities, buffer areas, and landscaping. No special development considerations were needed to adjust the project for compatibility with the neighborhood. With the exception of the sign ordinance variance request, no additional variances to the development standards are proposed in order to implement the CCRC facility.

The project has been designed in a manner to provide compatibility with surrounding uses. The RV storage/garden plots component of the project will be located between the proposed CCRC site and the RCE. Additionally, detention basins and open space parcels are proposed on the western and southern perimeters of the CCRC site providing low-intensity uses adjacent to the RCE, and a physical separation between the CCRC facility and RCE of over 720 feet.

The CCRC project site would be fronted on the east by the future extension of College Boulevard Reach "A." There would be no immediate interface with planned single-family and multi-family residential land uses located further east of College Boulevard (i.e., Cantarini Ranch and Holly Springs). Along the project frontage with College Boulevard, a 20 foot wide landscape buffer and pedestrian access easement would be provided. A sound wall would also be located along the CCRC site frontage adjacent to College Boulevard. The IL and AL buildings would be set back from College Boulevard a minimum of 120-feet and would be lower than College Boulevard by 5 to 20 feet, depending on the location along College Boulevard.

4. That the street system serving the proposed use is adequate to properly handle all traffic generated by the proposed use.

A traffic analysis has been prepared for the proposed project and has concluded that the existing and planned street system is adequate to serve the proposed project. The traffic impact analysis for the proposed project concluded that no capacity related impacts were identified at key study area intersections and street segments.

With City adoption of the findings of consistency identified above and the approval of a CUP, the project would have a less than significant impact associated with consistency with CMC Chapter 21.42 of the Carlsbad Zoning Ordinance.

Variance

A component of the CCRC project approval actions includes a variance request from the City's Sign Ordinance provisions in order to allow the placement of more than one monument sign along a street frontage (i.e., College Boulevard). A variance is required to allow for a total of two proposed entry monument signs (one sign at each project site entry from College Boulevard). Pursuant to CMC Section 21.41.095, one, 35-square foot monument sign, with a maximum height of six feet is allowed per street frontage for professional care facilities. Approval of a variance is subject to findings that would be made

by the City decision-makers (i.e., Planning Commission and City Council). Specifically, CMC Section 21.50.30 require that the following findings must be made:

1. That because of special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, the strict application of the zoning ordinance deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification;

Direct access to the CCRC facility would be provided by two entrance driveways located off of the future extension of College Boulevard Reach "A." Traffic signals would be installed at the intersections of these two entrances and the project would provide enhanced landscaping and streetscapes to accent the entrance into the CCRC facility. The CCRC site's large size, 52.5 gross acres, with linear street frontage of approximately 2,640 feet (1/2 mile) along a major, curved, arterial road, College Boulevard, justifies the addition of one monument sign along College Boulevard. The two CCRC site monument signs will be separated by over 1,560 (1/3 mile), the signs will not be freestanding, and both the signs would not be visible from the same vantage point due to the large distance between the signs and the curvature of the roadway. The signs would also be incorporated into the sound wall located along each of the project entries. As there are no other properties in the immediate vicinity which have the combination of size and extensive frontage along a major arterial road as well as being a professional care use, which to a certain extend, relies on visibility for economic viability, the Variance can be supported.

2. That the variance shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is located and is subject to any conditions necessary to assure compliance with this finding;

There are no other properties in the immediate project vicinity that have the combination of size and extensive frontage along this portion of College Boulevard and that have, or are proposed, for a specialized use such as the proposed CCRC facility.

3. That the variance does not authorize a use or activity which is not otherwise expressly authorized by the zone regulation governing the subject property;

The proposed sign variance does not affect the intensity or use of the CCRC site. The proposed CCRC site is an allowable use, subject to approval of a Conditional Use Permit. The variance is not required for the proposed use (assisted living) or any increase in development intensity or density.

4. That the variance is consistent with the general purpose and intent of the general plan and any applicable specific or master plans;

The proposed monument signs will assist in clearly identifying the use, and are attractively-designed, and will be incorporated into the sound walls at the project entries. The additional monument sign will not appear excessive as the parcel has linear street frontage of approximately 2,640 feet (1/2 mile) along

College Boulevard. The two CCRC site monument signs will be separated by over 1,560 (1/3 mile), the signs will not be freestanding, and both the signs would not be visible from the same vantage point due to the large distance between the signs and the curvature of the roadway.

Approval of the variance would allow an additional monument sign to be constructed. This additional sign would not result in a physical impact to the environment as it would be located within the project boundaries and in an area that would be disturbed by grading activity for the project. No significant environmental impact associated with the variance request and consistency with the Carlsbad Zoning Ordinance would occur.

The degree to which the zone change, CUP, and variance would allow for the implementation of the proposed project, and the associated environmental impacts of the proposed project are addressed in subsequent environmental analysis sections within this EIR.

C. Sunny Creek Specific Plan (Specific Plan 191)

The proposed project would involve an amendment to the Sunny Creek Specific Plan in order to remove the proposed affordable housing site from the Specific Plan boundary. The Specific Plan requires a minimum lot size of one acre for projects with a proposed density of 0-1 dwelling units per acre (du/acre) and one-half an acre for projects with a proposed density of 1-2 du/acre. As the affordable housing project has proposed density of 15.4 du/acre, it would be inconsistent with the densities anticipated within the Specific Plan. City action to remove the affordable site from the Sunny Creek Specific Plan would eliminate the inconsistency of the affordable housing project with that plan. In addition, as the existing adjacent high-density affordable housing project to the east was removed from the Sunny Creek Specific Plan (GPA 96-01), no significant impacts are anticipated with respect to the increased density and deletion of the site from the Sunny Creek Specific Plan.

The proposed affordable housing development would avoid direct impacts to the significant environmental resources identified in the Specific Plan. These include the Agua Hedionda Creek and associated habitat. To the degree that the affordable housing project would result in a physical impact to the environment as a result of the proposed use, these potential impacts are evaluated in subsequent sections of this EIR (e.g., see Section 5.6 Biological Resources).

D. Hillside Development Regulations

As the CCRC site contains hillside conditions that are defined as slopes greater than 15 feet in height and 15% slope, a Hillside Development Permit is required for the CCRC site pursuant to the City's Hillside Development Ordinance (CMC Chapter 21.95). As shown on Figures 5.11-1 and 5.11-2 (see Section 5.11 Grading and Aesthetics of this EIR), a majority of the site has a slope gradient of less than 25 percent. The south and western portions of the site consist of relatively level, low-lying terrain (i.e., RV storage and Agua Hedionda Creek area) while two large hills with slopes primarily ranging from 15-40 percent and ranging in elevation from 59 to 144 feet above mean sea level (MSL) are located within the central portion of the site. A few small pockets of slopes in excess of 40 percent are located towards the southern end of the CCRC site (in the vicinity of the eastern/southern cluster of cottages and in between the IL and AL buildings).

Pursuant to CMC Section 21.95.140(D), nonresidential projects are not required to comply with the volume of grading and slope height requirements of the Hillside Development Regulations. According to CMC Section 21.95.140(D), "Development on land designated for nonresidential development shall comply with all requirements of this chapter except Sections 21.95.120(D) and 21.95.120(E). Any nonresidential project proposing grading in excess of ten thousand cubic yards per acre or creating slopes in excess of forty feet in height shall provide both written and graphic exhibits to justify the proposed grading to the satisfaction of the decision-making body." Because the project site contains two large hills located at the northern and southern ends of the project site, one of which is up to 40 feet in height, and the site is proposed to be graded to accommodate a level building pad which is conducive for the proposed senior community, grading will consist of (2:1 inclination) cut and fill slopes extending up to 35 and 30 feet in height respectively. As shown in Table 3-3 Complete Project Earthwork Summary (see Section 3.0 Project Description) the grading quantities for the CCRC and RV storage/garden site are approximately 325,980 cubic yards of cut and 275,380 cubic yards fill. The grading quantities do not include the grading required to develop the extension of College Boulevard Reach "A," BJ Basin, as well as remedial grading.

The project has been designed to avoid the majority of the steep slope areas that exceed 40%. The steep slope areas exceeding 40% on the remainder of the CCRC site and RV storage/garden areas that are proposed for grading are considered "developable" since the slope area amounts to less than 10,000 square feet.

The project does not propose to create manufactured slopes greater than 40 feet in height. The proposed project would create manufactured slopes greater than 20 feet in height and 200 feet in length. However, the manufactured slopes would be contoured to blend with the surrounding landscape. Additionally, the manufactured slopes would be landscaped consistent with the City's Landscape Manual to appear natural and be aesthetically pleasing. Therefore, impacts from development on steep slopes or the creation of manufactured slopes are considered less than significant, and no mitigation measures are required.

Grading for the CCRC site and RV storage/garden areas would exceed 10,000 cubic yards of cut or fill per acre (grading proposed for the CCRC site and RV storage/garden areas would be approximately 15,000 cubic yards of cut or fill per acre). Therefore, pursuant to CMC Section 21.95.140(D), written and graphic exhibits are required to justify the proposed grading. Therefore, the grading/landform modification impacts are considered less than significant, and no mitigation measures are required.

Additionally, all development within the project site must comply with the standards contained within the City's Hillside Development Regulations (Chapter 21.95 in the City's Municipal Code), unless otherwise approved by the City of Carlsbad. Accordingly, prior to development on portions of the property with existing slopes of 15 percent or more and an elevation differential greater than 15 feet, a Hillside Development Permit is required and shall be obtained in conjunction with the development entitlements package.

Finally, outside the coastal zone, the decision-making body or official may approve a modification to the hillside development and design standards of Section 21.95.120 if it finds that the proposed development complies with the purpose and intent provisions of Section 21.95.010 and makes one or more of the following findings:

1. The proposed modification will result in significantly more open space or undisturbed area than would a strict adherence to the requirements of Section 21.95.120.

The proposed grading plan will avoid the majority of the steep slope areas that exceed 40% percent (i.e. 0.84 acres of 1.0 acres of steep slopes is proposed to be designated as open space on-site). Two lots along the southwestern (1.21 acres) and southern (5.19 acres) boundaries of the site will be designated as Open Space to preserve native upland habitat and a large riparian area, which includes Agua Hedionda Creek. Additionally, courtyards, parks, plazas, and open space with passive recreation will be provided throughout the site. Five detention basins will be located throughout the CCRC site to treat post-construction stormwater runoff and assist with flood control. The western detention basin will also serve as a buffer between the cottages and IL buildings and the residents of Rancho Carlsbad Estates.

2. The proposed modification will result in the development of manufactured slopes which are more aesthetically pleasing and natural appearing than would a strict adherence to the requirements of Section 21.95.120.

The larger manufactured slopes are located in the interior of the proposed development and would have limited visibility from off-site public locations. Contour grading would be incorporated into the manufactured slopes to blend with the surrounding landscape. Additionally, the manufactured slopes would be landscaped consistent with the City's Landscape Manual to appear natural and be aesthetically pleasing.

3. The proposed modifications will result in the preservation of natural habitat as required by the city's habitat management plan and the required amount of preservation could not be achieved by strict adherence to the requirements of Section 21.95.120 of this chapter.

Two lots along the southwestern (1.21 acres) and southern (5.19 acres) boundaries of the site will be designated as Open Space to preserve native upland habitat and a large riparian area, which includes Agua Hedionda Creek.

As discussed above, the proposed project is consistent with the City's Hillside Development Ordinance and the grading/landform modifications associated with the proposed project are considered less than significant.

E. Floodplain Management Regulations

Portions of the project site, including a small area of the CCRC site as well as the entire RV storage lot and affordable housing site, are located within the 100-year floodplain as mapped by the Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Map (FIRM). As such, the project must comply with CMC Chapter 21.110, Floodplain Management Regulations and the issuance of a Floodplain Special Use Permit (SUP) will be required. The following Special Use Permit findings per CMC Section 21.110.150 are required:

1. The site is reasonably safe from flooding

Proposed grading and hydrology/drainage improvements would remove the portions of the CCRC site, RV storage area and affordable housing development that are currently located within the 100-year floodplain, out of the floodplain by raising the elevation of the building pads above the floodplain. The floodwaters are proposed to be re-directed and channelized through proposed storm drain facilities. In addition, the areas for the proposed detention basins for the CCRC and affordable sites which are currently located within the 100-year floodplain are proposed to be graded below existing grades to compensate for the loss in floodplain volume.

Implementation of the proposed drainage improvements, including the build out of Basin BJ (previously reviewed and approved as part of the Calavera Hills Master Plan Phase II, Bridge and Thoroughfare District No. 4 & Detention Basins (EIR 98-02, SCH 99111082), will remove from the 100-year floodplain those areas of the project site. The natural flow will go through Basin BJ and will flow under College Boulevard and join an earthen channel adjacent to Rancho Carlsbad Estates, which flows under El Camino Real to Agua Hedionda Lagoon. This is analyzed in more detail in EIR Section 5.12 Hydrology/Water Quality.

2. The project as proposed has been designed to minimize the flood hazard to the habitable portions of the structure.

Proposed grading and hydrology/drainage improvements would remove the portions of the CCRC site, RV storage area and affordable housing development that are currently located within the 100-year floodplain, out of the floodplain by raising the elevation of the building pads above the floodplain.

3. The proposed project does not create a hazard for adjacent or upstream properties or structures.

The proposed project would result in a greater volume of runoff from the site than under existing conditions. However, five detention basins are being proposed to handle the increase in runoff generated by development of the proposed project. The storm drain systems will be designed to convey stormwater runoff to the detention basins, which will then drain to the same five points of discharge as in pre-development conditions. Therefore, the proposed project would not result in increased flooding onsite or offsite and impacts related to flooding would be less than significant.

4. The proposed project does not create any additional hazard or cause adverse impacts to downstream properties or structures.

The proposed project would result in a greater volume of runoff from the site than under existing conditions. Five detention basins are being proposed to handle the increase in runoff generated by development of the proposed project. The storm drain systems will be designed to convey stormwater runoff to the detention basins, which will then drain to the same five points of discharge as in pre-development conditions. Additionally, the project will include the construction of detention basin "BJ," (previously reviewed and approved as part of the Calavera Hills Master Plan Phase II, Bridge and Thoroughfare District No. 4 & Detention Basins (EIR 98-02, SCH 99111082). The construction of detention basin "BJ" would implement a component of the City's Master Drainage Plan. Therefore, the proposed project would not cause adverse impacts to downstream properties or structures.

5. The proposed project does not reduce the ability of the site to pass or handle a base flood of 100-year frequency; and,
6. The proposed project taken together with all the other known, proposed, and anticipated projects will not increase the water surface elevation of the base flood more than one foot at any point.

The portions of the development in the 100-year floodplain would be raised above the floodplain and floodwaters would be directed and channelized through appropriate storm drain facilities and detention basins. Portions of the CCRC Site within the 100-year floodplain will be graded below existing grades. The grading would provide the floodplain fills to elevate portions of the development above the 100-year floodplain and create basins (West Hydromodification Basin and West Water Quality Basin), in which floodwaters could be collected and discharged. Grading would occur similarly on the Affordable Housing Site to elevate the building pad above the 100-year floodplain. Floodplain modifications will require updates to the FEMA FIRM maps, which will be processed through a Conditional Letter of Map Revision (CLOMR) during the final design stage of the proposed project.

Detention Basin BJ is anticipated to provide additional flood protection to Rancho Carlsbad Estates. The natural flow will be directed through Basin BJ and will flow under College Boulevard and join an earthen channel adjacent to Rancho Carlsbad Estates, which flows under El Camino Real in a westerly direction to Agua Hedionda Lagoon.

The proposed project improvements will increase flow conveyance volume in the floodplain fringe areas east and west of College Boulevard. The hydraulic analyses concluded that the 100-year water surface elevation and velocities west of proposed College Boulevard extension will not be significantly impacted by the proposed grading improvements. However, east of College Boulevard an increase in 100-year water surface elevations is anticipated upstream of the proposed bridge for the future College Boulevard crossing of Agua Hedionda Creek. This increase in water surface elevations is specifically restricted to the Affordable Housing project site limits. However, no habitable structures will be impacted. The portion of

the proposed Affordable Housing project site that is proposed for the affordable housing building will be graded to at least one foot above the increased 100-year water surface elevations. The existing adjacent property lies at least 2 feet above the proposed 100-year water surface elevations. Although the water surface elevations would increase within the affordable housing project site, there would be a decrease in 100-year velocities upstream of College Boulevard due to the proposed College Boulevard bridge, which would create a backwater and slow down approaching floodwaters from the east along Agua Hedionda Creek.

7. All other required state and federal permits have been obtained.

The Applicant is required to obtain any applicable state and federal permits prior to construction.

As discussed above, the floodplain analysis indicates that the proposed project would not result in any increase in flood levels during the occurrence of the base flood discharge (100-year storm). Therefore, the findings in support of a Special Use Permit can be made pursuant to the floodplain management regulations.

F. Growth Management Program

The Growth Management Program was adopted in 1986 with the intent to ensure that proposed development contributes to provision of a balanced community, and to prohibit such development unless adequate public facilities and improvements are provided in a phased and logical fashion to serve the growth associated with the proposed development. The Growth Management policy dictates that a Local Facilities Management Plan (LFMP) be prepared to analyze public facility demand of a proposed project (in conjunction with the demand of existing and other proposed projects), in relation to the anticipated supply of such public facilities. This LFMP is reviewed concurrently with the entitlement package for a proposed project.

As discussed in the LFMP section below, as well as in Section 5.12 of this EIR (Public Services and Utilities), implementation of the project would not adversely impact planned or current levels of service for public facilities such as sewer, water, open spaces, parks, libraries, fire, and police. Consequently, the project is considered to be consistent with the City's Growth Management Program.

G. Zone 15 Local Facilities Management Plan (LFMP)

The project site is located within LFMP Zone 15. Project approval will necessitate approval of an amendment to the Zone 15 LFMP (i.e., Local Facilities Management Plan Amendment for Zone 15 (LFMP 15(E)) which addresses the proposed change in General Plan Land Use designations. In accordance with Growth Management provisions, the amended LFMP identifies the public facilities (City administration, libraries, wastewater treatment, parks and special use areas, drainage facilities, traffic circulation facilities, fire stations, open spaces, schools, sewer and water facilities) that will be needed to accommodate the phased development within Zone 15. The proposed LFMP 15(E) demonstrates that with implementation of the proposal to change the General Plan Land Use designations, that adequate facilities for the proposed

project will be provided and available. Section 5.14 - Public Services and Utilities identifies the public services and utility phasing required for project implementation.

The Growth Management Program also provided a maximum cap on residential units within each of the four quadrants of the city, and thus, the City of Carlsbad as a whole. As part of the Zone 15 LFMP(E) analysis, the buildout unit count proposed for the Dos Colinas property is addressed. Although the CCRC component of the project is categorized as a non-residential project, the LFMP projects the build-out for the area based on the General Plan Land Use designations. As the proposed project includes a request to change the General Plan Land Use designation for the CCRC/RV storage and garden and affordable sites from RLM (Residential, Low-Medium Density) to RM (Residential, Medium Density) and RH (Residential, High Density), respectively, the total number of dwelling units allocated to the project area will be changing from 151 dwelling units (based on constraints analysis, 145 units for the CCRC site and 6 units for the affordable site) to 300 dwelling units (271 units for the RM designation and 29 units for the RH General Plan Land Use designations).

The original LFMP 15 Zone Plan (February 7, 1990) contemplated that a total of 3008 dwelling units would be constructed within Zone 15 (i.e., based on the Growth Management Control Points of the original General Plan Land Use designations). Based on General Plan Land Use changes that have been approved since the adoption of the original LFMP, several of which entailed approvals for fewer units than were originally anticipated, a total of 2,111 units are projected for Zone 15. In addition, a large property originally proposed to be developed has been converted to a habitat mitigation bank (Carlsbad Highlands property). Therefore, with the new General Plan Land Use designations, the project would fall within the original cap on residential units for Zone 15. City Council approval is required of the public facility adequacy analysis addressed in Local Facilities Management Plan Amendment for Zone 15 [Zone 15 LFMP (E)].

H. Inclusionary Housing Ordinance

The proposed project will comply with the City's Inclusionary Housing Ordinance requirements onsite. The project will provide a range of housing opportunities for all identifiable economic segments of the population, including households of lower and moderate income. As required by the Inclusionary Housing Ordinance, a minimum of fifteen percent (15%) of all approved residential development will be restricted to, and affordable to, lower-income households. Based on the LFMP Zone 15(E), the anticipated allocation of residential dwelling units for the proposed CCRC, RV Storage and Garden and Open Space Parcels is 145 dwelling units (45.23 net acres multiplied by 3.2 du/ac). Although the CCRC will be classified as a commercial project (i.e. professional care facility), the City has determined that the 15% inclusionary housing requirement would still apply based on the allocation of residential units pursuant to the RLM (i.e. current) General Plan Land Use designation. Therefore, based on an anticipated allocation of 145 dwelling units, a total of 22 low-income affordable residential units are required to be constructed as a feature of the Dos Colinas project. This affordable housing requirement would be met with the construction of 29 low income multi-family affordable units as is proposed on the affordable housing site.

Pursuant to CMC Chapter 21.53.120, a Site Development Plan (SDP) is required for the development of an inclusionary multi-family development in excess of four units. As the project proposes 29 multi-family affordable units, a SDP is required. The CMC requires that a site development plan be processed pursuant to Chapter 21.06 (Q Qualified Development Overlay Zone). Under the Qualified Development Overlay Zone, CMC Section 21.06.020 requires that no use shall be permitted unless the Planning Commission, or the City Council on appeal, finds:

1. That the requested use is properly related to the site, surroundings and environmental settings, is consistent with the various elements and objectives of the general plan, will not be detrimental to existing uses or to uses specifically permitted in the area in which the proposed use is to be located, and will not adversely impact the site, surroundings or traffic circulation;

The proposed affordable housing component of the project would be consistent with this finding. The high density affordable housing project would not be detrimental to the existing uses in the area as there is an existing high density affordable housing project located immediately adjacent to the project site (to the east) and commercial services and public support systems such as parks and public transportation are located along El Camino Real as well as the proposed extension of College Boulevard Reach "A." In addition, the proposed site design ensures that no direct public access off of College Boulevard (major arterial) is proposed and fire hazards are avoided by providing the required fire buffers, access driveway width, and turn-around areas on-site. An open space conservation easement would be provided in the area of Agua Hedionda Creek, and a water quality detention basin would be provided on-site, which would also serve as the required 100-foot-wide buffer from the edge of the supporting riparian canopy. The project would implement various objectives of the General Plan, including the provision of affordable housing in the City and the preservation of the riparian corridor as open space. Furthermore, to address the change in the General Plan Land Use designation from RLM to RH and in accordance with City Council Policy No. 43, the proposed project qualifies for an allocation of 23 units from the City's excess dwelling unit bank. Excess dwelling units are available and public facilities are adequate as required by the General Plan.

2. That the site for the intended use is adequate in size and shape to accommodate the use;

The proposed affordable housing component of the project would be consistent with this finding. With exception to the provisions for covered parking, which can be deviated from pursuant to CMC Section 21.53.120, the proposed project meets all setback, height, and lot coverage requirements set forth pursuant to the proposed RD-M zoning designation.

3. That all of the yards, setbacks, walls, fences, landscaping, and other features necessary to adjust the requested use to existing or permitted future uses in the neighborhood will be provided and maintained;

Although a modification to the parking standards (CMC Chapter 21.44) is being requested to eliminate the covered parking requirement for the proposed multi-family development, CMC Section 21.53.120 allows for less restrictive development standards for affordable multi-family residential projects if the project conforms with the General Plan and adopted policies and goals of the City, and would have no detrimental effect on the public health, safety and welfare. As the proposed project meets the above-noted standards, the request to eliminate this requirement can be supported. The project also meets all required setbacks pursuant to the RD-M zone.

Due to constraints related to raising the building pad for development above the flood plain, the requirement for a detention basin as well as the requirement for a 100-foot buffer from the riparian canopy, the building pad area is limited and, as a result, a series of retaining walls (fill situation) are proposed along the southern property line. Including the required 6 to 8-foot soundwall, a total of three stacked walls with a combined height of approximately 20 feet will be visible from the northeast corner of Sunny Creek Road and College Boulevard. However, the walls are located outside of the required setbacks for the affordable site and will also be setback approximately 60 feet from the corner. Landscaping will be planted in between each step of the walls which will ultimately assist with screening the walls and softening any impacts to College Boulevard and Sunny Creek Road. In addition, with the exception of the required noise wall, the retaining walls will be located below the existing elevations of College Boulevard and Sunny Creek Road. Enhanced architecture and decorative materials are also proposed for the stacked walls. Therefore, the proposed affordable housing project is consistent with this finding.

4. That the street system serving the proposed use is adequate to properly handle all traffic generated by the proposed use; and

The proposed affordable housing component of the project would be consistent with this finding. A traffic impact analysis has been prepared for the proposed project and indicates that the roadway circulation system would be adequate to accommodate the proposed project and will not significantly impact the existing road segment or intersection levels of service.

With the approval of a SDP, the proposed project will have a less than significant impact associated with consistency with the Inclusionary Housing Ordinance.

I. Scenic Corridor Guidelines

The project design accommodates the landscaping goals contained in the Scenic Corridor Policies. The eastern boundary of the CCRC site and the western boundary of the affordable housing site will be fronted by College Boulevard, which is identified as a Community Scenic Corridor. As identified in the Scenic Corridor Guidelines, applicable goals include creating, " ... a unique identity for individual corridors by selecting a predominant theme tree to be used throughout the length of each corridor" and encouraging, " ... special landscape setbacks." The project will provide improvements along the frontage of College Boulevard, with proposed landscaping to include a predominant theme tree and support trees throughout the length of the scenic corridor. Landscaping will also include various shrubs, ground cover, and vines as part of the streetscape. Along the project frontage, a 20-foot wide landscape setback is proposed which

would include a meandering sidewalk and landscaping. Therefore, the project will comply with the City's Scenic Corridor Policies. Please refer to Section 5.11 - Grading and Aesthetics for a more detailed analysis of the project's compliance with the Scenic Corridor Guidelines.

J. Landscape Manual

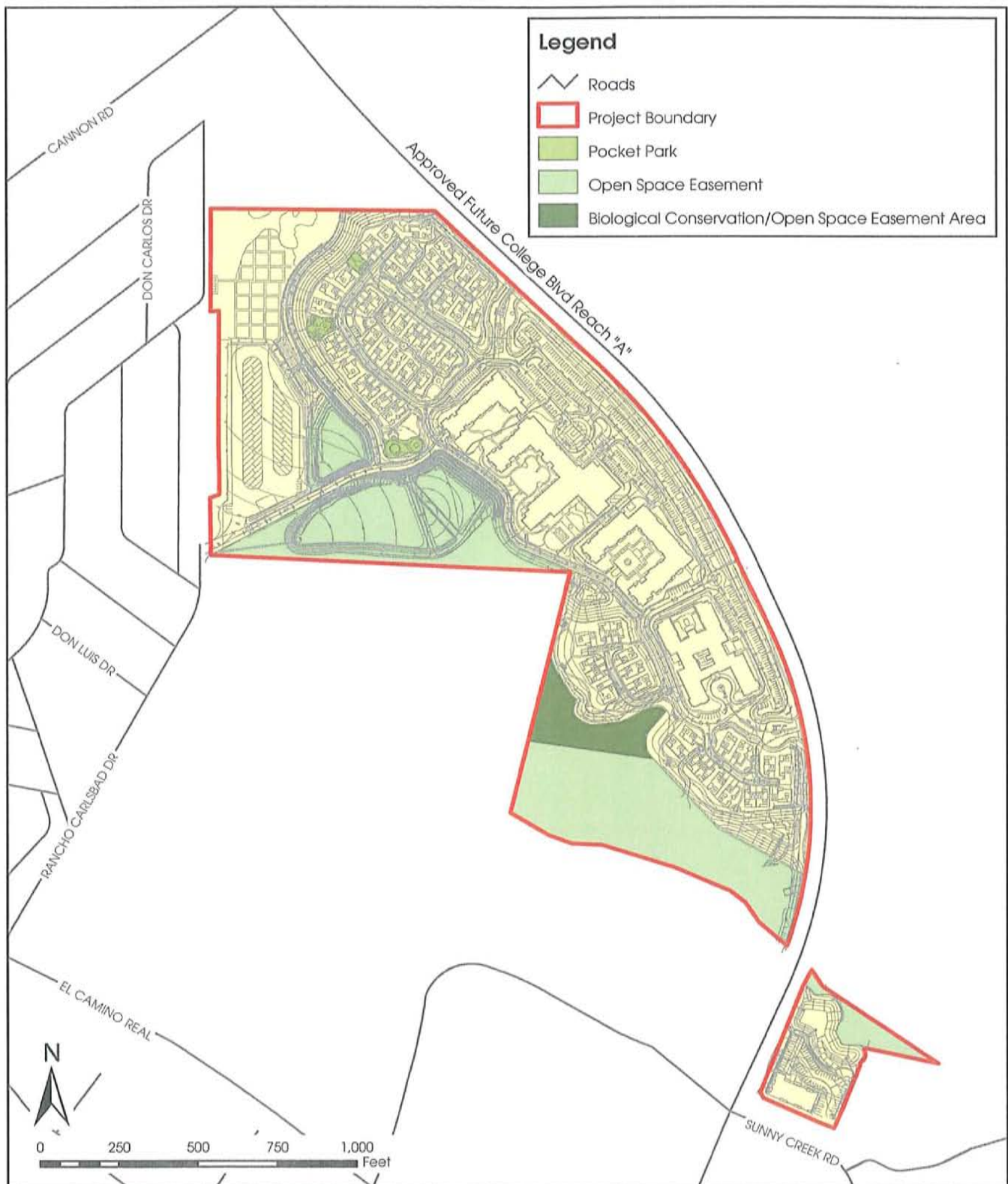
The policies, programs and requirements of the Landscape Manual apply to all public and private development requiring discretionary permits or submittal of landscape plans for development permits. The proposed project is required to comply with the provisions of the landscape manual with respect to planting, irrigation, water conservation, streetscape, slope revegetation/erosion control, and fire protection. The proposed project landscape concept meets the requirements of the landscape manual. Furthermore, the City will review detailed landscape construction plans at the time permits are applied for as part of the subsequent development of the project. No impact associated with the landscape manual is anticipated.

K. McClellan-Palomar Airport Land Use Compatibility Plan

According to the McClellan-Palomar Airport Land Use Compatibility Plan (ALUCP), the project site is not located within the mapped noise contours. As such, all land uses located outside the 60 dB CNEL noise contour threshold are consistent with the noise compatibility policies of the ALUCP. The very southern portion of the CCRC site and the entire affordable housing site is within Zone 6-Traffic Pattern Zone, as identified in the ALUCP. Compatible land uses within Zone 6 include high-density multi-family residential developments as well as assisted living and professional care facilities. Therefore, no special land use restrictions as they relate to airport safety are applicable to the project site. However, the CCRC site is located within the airport's AIA "Review Area 2" and the affordable housing site is located within the airport's AIA "Review Area 1." The project will require FAA notification and review pursuant to FAR Part 77. Pursuant to the ALUCP, the proposed project will be referred to the Airport Land Use Commission for a Determination of Consistency with the ALUCP prior to the project approval by the City. The land use type, building heights, and proposed density of the project are all considered compatible within Review Area's 1 and 2, as identified in the ALUCP (see Table 5.1-1). The Airport Land Use Commission's consistency determination is a legal determination, not a physical impact on the environment. To the degree that the airport operations have the potential to impact the proposed project (e.g., noise and safety), this analysis is provided in EIR Sections 5.5 Noise and 5.10 Hazardous Materials and Hazards of this EIR. However, as stated above, the proposed project would not be significantly impacted by noise or potential hazards associated with the airport's operations. Therefore, the project is consistent with the ALUCP.

L. Open Space Conservation and Resource Management Plan

The proposed project is consistent with the Open Space Conservation and Resource Management Plan because the project will: 1) provide open space for the preservation of natural resources, which include upland habitat communities such as coastal sage scrub as well as wetland habitat located along Agua Hedionda Creek and the adjacent riparian canopy; 2) provide private outdoor recreation areas and pocket parks for the residents of the CCRC community; and, 3) include open space parcels to protect public health and safety (i.e. from floodways). Additionally, the proposed open space parcels for the project are contiguous with the open space as shown on the Open Space and Conservation Map. Figure 5.1-10 provides a summary of the proposed open space and recreational plan for the project.



SOURCE: SanGIS, 2010; Hunsaker & Associates, 2010; BRG Consulting, Inc., 2010

9/15/10



Dos Collinas EIR

Open Space and Recreation Plan

FIGURE
5.1-10

M. City of Carlsbad Habitat Management Plan (HMP)

As discussed in Section 5.6 of this EIR (Biological Resources), the project would be generally consistent with the policies and standards of the HMP. The project site comprises the central portion of Zone 15 of the HMP. The eastern half of Zone 15 is considered an integral part of the overall open space preserve system since it contains "Linkage Area" B, a critical wildlife corridor between "Core Areas" 3 and 4 (also a part of Zone 15) of the HMP. The proposed CCRC component of the project is not located within a Linkage or Core Area; however, the affordable housing site's southeastern-most edge lies within HMP Core Area 5. This area of the project within Core Area 5 comprises less than half an acre and supports southern sycamore-alder riparian woodland associated with Agua Hedionda Creek. The Creek traverses from east to west across the northern boundary of the affordable site and the southern boundary of the CCRC site. A majority of the project site is also located within a "Proposed Standards Area" of the HMP. As such, Consistency Findings are required to be processed pursuant to Section E-3 of the HMP to demonstrate compliance with the Standards as outlined pursuant to Zone 15 of the HMP. The project's compliance with these standards is addressed in further detail in Section 5.6 Biological Resources of the EIR.

The proposed project would preserve approximately 7.07 acres of open space. A total of 1.88 acres would be preserved through a biological conservation easement while the remaining area will be preserved through an open space easement. In addition, in accordance with the standards contained in the HMP for the project site the proposed project includes the preservation and protection of 77% of the existing 2.7 acres of Diegan coastal sage scrub habitat existing on the site.

Based on the biological analysis for the proposed project, and including the project's proposed dedicated open space/biological conservation easements and mitigation measures identified in Section 5.6 Biological Resources, the proposed project would be generally consistent with the requirements of the HMP as they relate to the project site.

5.1.4 Mitigation Measures

No mitigation measures are proposed, as no significant impacts have been identified.

5.1.5 Impact After Mitigation

Implementation of the proposed project will not result in a significant land use and planning impact.

This page intentionally left blank.